United Nations A/C.3/57/L.40

General Assembly

Distr.: Limited
6 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Algeria, Angola, Bangladesh, Benin, Burkina Faso, Burundi, Cambodia, Cameroon, Chad, China, Congo, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Egypt, El Salvador, Eritrea, Ethiopia, Haiti, Indonesia, Islamic Republic of Iran, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mali, Mauritania, Mozambique, Myanmar, Namibia, Nigeria, Peru, Senegal, South Africa, Sudan, Suriname, Syrian Arab Republic, Tunisia, United Republic of Tanzania, Viet Nam, Yemen, Zambia, Zimbabwe: draft resolution

Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Desirous of achieving further progress in international cooperation to promote and encourage respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter of the United Nations, as well as the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other relevant instruments,

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.

02-67816 (E) 061102

Deeply convinced that United Nations action in this field should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Recalling its previous resolutions in this regard,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[3]

Affirming the importance of the objectivity, independence and discretion of the special rapporteurs and representatives on thematic issues and on countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. *Reaffirms* that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. *Calls upon* all Member States to base their activities for the promotion and protection of human rights, including the development of further international cooperation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[2] the International Covenant on Civil and Political Rights[2] and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. *Considers* that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms, as a legitimate concern of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

---

[3] A/CONF.157/24 (Part I), chap. III.

6. *Requests* all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. *Expresses* its conviction that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

8. *Stresses*, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

9. *Invites* Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. *Requests* the Commission on Human Rights to take duly into account the present resolution and to consider further proposals for the strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity;

11. *Takes note* of the report of the Secretary-General,[4] and requests the Secretary-General to invite Member States to present practical proposals and ideas that would contribute to the strengthening of United Nations action in the field of human rights, through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity, and to submit a comprehensive report on this question to the General Assembly at its fifty-eighth session;

12. *Decides* to consider this matter at its fifty-eighth session under the item entitled "Human rights questions".

---

[4] A/57/556/Add.2.

United Nations A/C.3/57/L.41

General Assembly

Distr.: Limited
8 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Benin, Bosnia and Herzegovina, Burkina Faso, Cambodia, Cameroon, China, Congo, Cuba, Dominican Republic, Egypt, El Salvador, India, Indonesia, Iran (Islamic Republic of), Iraq, Kuwait, Libyan Arab Jamahiriya, Mauritania, Morocco, Myanmar, Nicaragua, Pakistan, Qatar, Saudi Arabia, Senegal, Sudan, Suriname, United Arab Emirates and United Republic of Tanzania: draft resolution

Human rights and cultural diversity

The General Assembly,

Recalling the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights[2] and the International Covenant on Civil and Political Rights,[2] as well as other pertinent human rights instruments,

Recalling also its resolution 54/160 of 17 December 1999 and 55/91 of 4 December 2000, and recalling further its resolutions 54/113 of 10 December 1999 and 55/23 of 13 November 2000 on the United Nations Year of Dialogue among Civilizations,

Noting that numerous instruments within the United Nations system promote cultural diversity, as well as the conservation and development of culture, in particular the Declaration of the Principles of International Culture Cooperation, proclaimed on 4 November 1966 by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its fourteenth session,[3]

Taking note of the report of the Secretary-General,[4]

---

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Fourteenth Session, Paris, 1966, Resolutions.*
[4] A/56/204 and Add.1.

02-68441 (E) 111102

Welcoming the adoption of the Global Agenda for Dialogue among Civilizations by the General Assembly in its resolution 56/6 of 9 November 2001,

Welcoming also the contribution made through the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001, to the promotion of respect for cultural diversity,

Welcoming further the Universal Declaration on Cultural Diversity of the United Nations Educational, Scientific and Cultural Organization,[5] together with its Action Plan,[6] adopted on 2 November 2001 by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its thirty-first session, in which member States invited the United Nations system and other intergovernmental and non-governmental organizations concerned to cooperate with the United Nations Educational, Scientific and Cultural Organization in the promotion of the principles set forth in the Declaration and its Action Plan with a view to enhancing the synergy of actions in favour of cultural diversity,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Recognizing that cultural diversity and the pursuit of cultural development by all peoples and nations are a source of mutual enrichment for the cultural life of humankind,

Taking into account that a culture of peace actively fosters non-violence and respect for human rights and strengthens solidarity among peoples and nations and dialogue between cultures,

Recognizing that all cultures and civilizations share a common set of universal values,

Considering that tolerance of cultural, ethnic, religious and linguistic diversities, as well as dialogue among and within civilizations, is essential for peace, understanding and friendship among individuals and people of different cultures and nations of the world, while manifestations of cultural prejudice, intolerance and xenophobia towards different cultures and religions generate hatred and violence among peoples and nations throughout the world,

Recognizing in each culture a dignity and value that deserves recognition, respect and preservation, and convinced that, in their rich variety and diversity, and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind.

---

[5] United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Thirty-first Session, Paris, 15 October to 3 November 2001*, vol. 1, *Resolutions*, chap. V, resolution 25, annex I.

[6] Ibid., annex II.

Convinced that the promotion of cultural pluralism and tolerance towards and dialogue among various cultures and civilizations would contribute to the efforts of all peoples and nations to enrich their cultures and traditions by engaging in a mutually beneficial exchange of knowledge and intellectual, moral and material achievements,

1. *Affirms* the importance for all peoples and nations to hold, develop and preserve their cultural heritage and traditions in a national and international atmosphere of peace, tolerance and mutual respect;

2. *Welcomes* the adoption of the United Nations Millennium Declaration of 8 September 2000,[7] which considers, inter alia, that tolerance is one of the fundamental values essential to international relations in the twenty-first century and that it should include the active promotion of a culture of peace and dialogue among civilizations, with human beings respecting one another in all their diversity of belief, culture and language, neither fearing nor repressing differences within and between societies but cherishing them as a precious asset of humanity;

3. *Recognizes* the right of everyone to take part in cultural life and to enjoy the benefits of scientific progress and its applications;

4. *Affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

5. *Expresses* its determination to prevent and mitigate cultural homogenization in the context of globalization, through increased intercultural exchange guided by the promotion and protection of cultural diversity;

6. *Affirms* that intercultural dialogue essentially enriches the common understanding of human rights and that the benefits to be derived from the encouragement and development of international contacts and cooperation in the cultural fields are important;

7. *Welcomes* the recognition at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance of the necessity of respecting and maximizing the benefits of diversity within and among all nations in working together to build a harmonious and productive future by putting into practice and promoting values and principles such as justice, equality and non-discrimination, democracy, fairness and friendship, tolerance and respect within and among communities and nations, in particular through public information and educational programmes to raise awareness and understanding of the benefits of cultural diversity, including programmes in which the public authorities work in partnership with international and non-governmental organizations and other sectors of civil society;

8. *Recognizes* that respect for cultural diversity and the cultural rights of all enhances cultural pluralism, contributing to a wider exchange of knowledge and understanding of cultural background, advancing the application and enjoyment of universally accepted human rights throughout the world and fostering stable, friendly relations among peoples and nations worldwide;

[7] See resolution 55/2.

9. *Emphasizes* that the promotion of cultural pluralism and tolerance at the national, regional and international levels is important for enhancing respect for cultural rights and cultural diversity;

10. *Also emphasizes* that tolerance and respect for diversity facilitate the universal promotion and protection of human rights, including gender equality and the enjoyment of all human rights by all, and underlines that tolerance and respect for cultural diversity and the universal promotion and protection of human rights are mutually supportive;

11. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

12. *Urges* States to ensure that their political and legal systems reflect the multicultural diversity within their societies and, where necessary, to improve democratic institutions so that they are more fully participatory and avoid marginalization and exclusion of, and discrimination against, specific sectors of society;

13. *Calls upon* States, international organizations and United Nations agencies, and invites civil society, including non-governmental organizations, to recognize and promote respect for cultural diversity for the purpose of advancing the objectives of peace, development and universally accepted human rights;

14. *Requests* the Secretary-General, in the light of the present resolution, to prepare a report on human rights and cultural diversity, taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations, as well as the considerations in the present resolution regarding the recognition and importance of cultural diversity among all peoples and nations in the world, and to submit the report to the General Assembly at its fifty-eighth session;

15. *Decides* to continue consideration of this question at its fifty-eighth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

United Nations A/C.3/57/L.42

General Assembly

Distr.: General
7 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda items 109 (a) and 112

Human rights questions: implementation of human rights instruments

Programme budget for the biennium 2002-2003

Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Programme budget implications of draft resolution A/C.3/57/L.30

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedures of the General Assembly

1. In operative paragraph 1, article 2, part I, of the annex to A/C.3/57/L.30, it is stated that a Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of the Committee against Torture shall be established and shall carry out the functions laid down in the Protocol. In accordance with article 5, part II, of the annex, the Subcommittee on Prevention shall consist of 10 members. After the fiftieth ratification or accession to the present Protocol, the number of the members of the Subcommittee on Prevention shall increase to 25. The members of the Subcommittee shall serve in their individual capacity.

2. As stipulated in paragraphs 1 (b) and (c) of article 7, part II, of the annex to the draft resolution, the initial election of the members of the Subcommittee shall be held no later than six months after the entry into force of the Optional Protocol and the States Parties shall elect the members of the Subcommittee.

3. Paragraphs 2 and 3 of article 10, part II, of the annex provide that the Subcommittee on Prevention shall establish its own rules of procedure and that after its initial meeting, the Subcommittee shall meet at such times as provided by its rules of procedure.

4. Paragraph 1 of article 28, part II, of the annex states that the Optional Protocol shall enter into force on the thirtieth day after the date of deposit with the Secretary-

02-68649 (E) 121102

General of the United Nations of the twentieth instrument of ratification or accession.

5. Paragraph 2 of article 25, part II, of the annex states that the Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Subcommittee under the Optional Protocol. In this context, it should be noted that the Secretariat does not anticipate that the Optional Protocol will enter into force during the biennium 2002-2003. Subject to the priority that Member States give to the speedy entry into force of the Protocol, it is possible, however, to envisage that the Protocol may enter into force during the biennium 2004-2005.

6. Should the Third Committee adopt the draft resolution, the Secretariat does not anticipate any programme budget implications for the biennium 2002-2003. However, in the event that the Optional Protocol enters into force during the biennium 2004-2005, it is estimated that requirements of approximately $2.1 million would arise for the regular budget. Details are provided in the attached annex. This estimate is based on the assumption that the Subcommittee will consist of 10 members, that it will hold its first organizational meeting in 2004 and that it will hold two sessions in 2005. Assuming that 20 States become parties by 2004, the Subcommittee may decide to plan visits to four States Parties in 2005 to keep the periodicity of visits to each State Party to one visit every five years. It is also assumed (on the basis of the experience of the visits carried out by the Committee against Torture to States Parties to the Convention against Torture) that each visit will be at least of two weeks duration. The minimum secretariat support needed to provide substantive services to the Subcommittee would consist of 1 P-4 post and 1 General Service post in 2004 and 1 P-4 post, 1 P-3 post and 1 General Service post in 2005.

Annex

Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: estimated resource requirements

(in United States dollars)

	Human rights Section 22			*Department for General Assembly and Conference Management Section 2*	*Administration Section 27*	*Total*
	Total (net)	*Staff assessment*	*Total (gross)*	*Conference servicing costs*	*Rent/alterations and common services*	*2004-2005*
2004	240 200	45 100	303 300	276 400	40 500	620 200
First meeting of States Parties			-	50 600		
First regular session of Subcommittee				225 800		
10 members, one week in Geneva						
Travel and daily subsistence allowance	53 200		53 200			
Staff requirements (1 P-4, 1 General Service)	187 000	45 100	232 100		40 500	
General operating expenses			5 200			
Furniture and equipment			12 800			
	578 200	66 000	658 800	765 100	38 600	1 462 500
2005				765 100		
Second and third regular sessions of Subcommittee						
Travel and daily subsistence allowance	142 800		142 800			
Additional 2 days daily subsistence allowance for 8 members to finalize their reports (2 members per visit)	4 200		4 200			
Visits of the Subcommittee to States Parties	146 300		146 300			
Visits to 4 States Parties (1 visit every 5 years) (includes travel and daily subsistence allowance of 2 committee members, 2 staff members and 2 interpreters for each visit)					38 600	
Staff requirements (1 P-4, 1 P-3, 1 General Service)	284 900	66 000	350 900	-		
General operating expenses			7 800			
Furniture and equipment			6 800			
Grand total, 2004-2005	**818 400**	**111 100**	**962 100**	**1 041 500**	**79 100**	**2 082 700**

United Nations A/C.3/57/L.43

General Assembly

Distr.: Limited
12 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (c)
Human rights questions: human rights situations and reports of special rapporteurs and representatives

Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Poland, Portugal, Romania, San Marino, Slovenia, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland: draft resolution

Situation of human rights in the Sudan

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and the duty to fulfil the obligations that they have undertaken under the various international instruments in this field,

Mindful that the Sudan is a party to the International Covenant on Civil and Political Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[1] the Convention on the Rights of the Child,[2] the African Charter on Human and Peoples' Rights[3] and the Geneva Conventions of 12 August 1949 for the protection of victims of war,[4]

Recalling its previous resolutions on the situation of human rights in the Sudan, and taking note of Commission on Human Rights resolution 2002/16 of 19 April 2002,[5]

Taking note of Security Council resolution 1372 (2001) of 28 September 2001,

---

[1] Resolution 2200 A (XXI), annex.
[2] Resolution 44/25, annex.
[3] United Nations, *Treaty Series*, vol. 1520, No. 26363.
[4] Ibid., vol. 75, Nos. 970-973.
[5] See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

02-68908 (E) 121102

Noting with appreciation the recent developments within the peace talks led by the Intergovernmental Authority on Development, and expressing its firm belief that human rights should become a key element in the peace talks in view of the link between a sustainable peace and respect for human rights,

1. *Welcomes*:

(a) The Machakos Protocol of 20 July 2002 and the announcement that both parties have agreed to a cessation of hostilities in all areas following the signature of the memorandum of understanding between the Government of the Sudan and the Sudan People's Liberation Army/Movement on the resumption of negotiations on peace in the Sudan;

(b) The extension of the ceasefire agreement in the Nuba Mountains, signed on 19 January 2002 by the Government of the Sudan and the Sudan People's Liberation Army/Movement, as well as the Khartoum agreement to protect civilians and civilian facilities from military attacks, also signed by them on 10 March 2002;

(c) The commitment of the Government of the Sudan to facilitate the establishment of an independent national institution on human rights;

(d) The recent visit of the Secretary-General to the Sudan;

(e) The interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Sudan submitted to the General Assembly at its fifty-seventh session[6] and the cooperation extended by the Government of the Sudan to the Special Rapporteur during his visits to the Sudan in February, March and October 2002;

(f) The cooperation extended by the Government of the Sudan and the Sudan People's Liberation Army/Movement to other United Nations mandate holders in the field of human rights, as well as to the United Nations and other humanitarian agencies, to mitigate the effects of war on civilians, and their commitment to permit days and zones of tranquillity, and emphasizes the need to return to a principle of full, safe and unhindered access and to strengthen the support to such agencies;

(g) The commitment of the Government of the Sudan to embark on a programme of civic education in democracy and to create an inter-party liaison mechanism in order to foster democratization;

(h) The commitment of the Government of the Sudan to establish an advisory council for Christians, to appoint Christians to senior executive positions within the Ministry for Religious Affairs and to promote inter-religious dialogue;

(i) Decree 14/2002 of 26 January 2002 of the President of the Republic of the Sudan re-establishing and further empowering the Committee for the Eradication of Abduction of Women and Children, the Committee's facilitation of flights to repatriate abducted children and its intention to hold tribal conferences in Kordofan and Darfur and the support of the Government and the Sudan People's Liberation Army/Movement for the International Eminent Persons Group on slavery, abduction and forced servitude, which visited the Sudan in April and May 2002, and their

[6] A/57/326.

commitment to consider implementation of the recommendations of the Group as stated in their report of 22 May 2002;[7]

(j) The signing of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;[8]

2. *Expresses its deep concern* at:

(a) The impact of the ongoing armed conflict on the situation of human rights and its adverse effects on the civilian population, in particular women, children and internally displaced persons, and at the continuing serious violations of human rights, fundamental freedoms and international humanitarian law by all parties to the conflict;

(b) The Government of the Sudan's decision to keep in place the state of emergency until the end of 2002;

(c) The restrictions on freedom of thought, conscience, religion and belief and on freedom of association, assembly, opinion and expression;

(d) The occurrence of torture and ill-treatment of civilians, extrajudicial summary or arbitrary execution, arbitrary arrest, detention without trial and the cruellest forms of corporal punishment, in particular amputations;

(e) The forced conscription and displacement, enforced or involuntary disappearances, as well as other acts of intimidation and harassment against the population;

(f) Persistent violations of the rights of women, including discrimination against women and girls in law and in practice, as well as serious human rights abuses such as killing, rape, abduction and female genital mutilation;

(g) Persistent violations of the rights of the child, including the use of children as soldiers and combatants as well as their subjection to forced labour;

(h) The extensive use of the death penalty, in disregard of the provisions of the International Covenant on Civil and Political Rights[1] and United Nations safeguards, in particular the lack of legal representation, the use of special courts, especially in Darfur, with military personnel appointed as judges, the occurrence of group sentencing, the circumvention of normal appeal processes and the imposition of the death penalty on persons below 18 years of age at the time of the commission of their crime, which raises serious doubts regarding the validity of the legal processes;

(i) The abduction of women and children by Murahaleen groups and other militias;

(j) The numerous and repeated difficulties encountered by United Nations and humanitarian staff in carrying out their mandate in the Sudan and the conditions imposed on humanitarian organizations, in contravention of humanitarian principles, in particular the denial of access to them, which has had grave consequences for the civilian population affected by the armed conflict and has led to the withdrawal of many such organizations;

---

[7] Slavery, Abduction and Forced Servitude in Sudan: Report of the International Eminent Persons Group, 22 May 2002, United States Department of State.

[8] Resolution 54/263, annex I.

(k) The forced displacement of populations throughout the Sudan, in particular in areas surrounding the oilfields;

3. *Urges* all parties to the conflict in the Sudan:

(a) To seize the prospect of peace to ensure continued progress in the fields of human rights, democratization and the rule of law, thereby creating a climate of mutual trust and confidence that will create the basis for a viable peace and facilitate reconciliation;

(b) To respect and protect human rights and fundamental freedoms, to respect fully international humanitarian law, in particular the need to ensure the protection of civilians and civilian premises, thereby facilitating the voluntary return, repatriation and reintegration of refugees and internally displaced persons to their homes, and to ensure that those responsible for violations of human rights and international humanitarian law are brought to justice;

(c) To adhere to the Machakos Protocol, to take necessary measures to facilitate the peace negotiations and to work actively towards the settlement of a just and viable peace, based on respect of human rights and the principles of democratization and the rule of law, under the auspices of the Intergovernmental Authority on Development peace process;

(d) To continue implementing the Khartoum agreement to protect civilians and civilian facilities from military attacks, and in particular urges the Government of the Sudan to cease immediately all indiscriminate aerial bombardments and attacks against the civilian population and civilian installations and the Sudan People's Liberation Army/Movement and to abstain from using civilian premises for military purposes, and from misappropriating humanitarian assistance and diverting relief supplies, including food, from their civilian recipients;

(e) To restrain from military activities as a demonstration of willingness for a peaceful solution to the long-standing conflict and to adhere to a comprehensive ceasefire as part of a just peace negotiation process;

(f) To stop the support to and use of tribal militias that commit human rights abuses;

(g) To grant full, safe and unhindered access to all international agencies and humanitarian organizations in order to facilitate by all possible means the delivery of humanitarian assistance, in conformity with international humanitarian law, to all civilians in need of protection and assistance and to continue to cooperate with the Office for the Coordination of Humanitarian Affairs of the Secretariat and Operation Lifeline Sudan to deliver such assistance;

(h) Not to use or recruit children under the age of 18 as soldiers, to continue demobilizing child soldiers, to refrain from the practice of forced conscription and to fulfil the commitments made concerning the protection of children affected by war, including cessation of the use of anti-personnel landmines, attacks on sites where there is usually a significant presence of children and the abduction and exploitation of children, as well as to ensure access to displaced and unaccompanied minors and to reunify them with their families;

4. *Calls upon* the Government of the Sudan:

(a) To comply fully with its obligations under international human rights instruments to which the Sudan is a party and to promote and protect human rights and fundamental freedoms, as well as to respect its obligations under international humanitarian law;

(b) To ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[9] to sign and ratify the Convention on the Elimination of All Forms of Discrimination against Women,[10] and to ratify the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction;[11]

(c) To end the state of emergency now that the stated reasons for its imposition have been resolved, namely through the constitutional amendment allowing the Presidential appointment of governors, and to undertake further efforts to promote an environment conducive to a genuine process of democratization that reflects the aspirations of the people and ensures their full participation;

(d) To end impunity for human rights violations and to try perpetrators in accordance with the rule of law, as well as to strengthen the role of the Advisory Council on Human Rights to investigate all reported human rights violations, including acts of torture;

(e) To fulfil its commitment to establish an independent national institution on human rights and to create a general legal framework facilitating the establishment of organizations in the field of human rights and to further encourage and support the Advisory Council on Human Rights in enhancing the promotion of human rights in the Sudan through its various activities, including its advisory services and advocacy activities;

(f) To ensure full respect for freedom of religion and conscience and, in this regard, to undertake measures to end discrimination based on religion;

(g) To ensure full respect for the freedoms of association, assembly, opinion, thought and expression throughout the territory of the Sudan and to fully implement existing legislation, in particular the Associations and Political Parties Act;

(h) To raise the age of criminal responsibility for children in order to take into account the observations of the Committee on the Rights of the Child;

(i) To continue and reinforce its efforts to prevent and stop the abduction of women and children taking place within the framework of the conflict in southern Sudan;

(j) To make concerted efforts to restrain the activities of tribal militias, to stop financing and equipping them and to suspend the use of the government train to Bahr-el-Ghazal until peace is established;

(k) To cease the forced displacement of populations by any means, in particular in areas surrounding the oilfields, to continue its efforts to address effectively the worsening problem of internally displaced persons, including by

[9] Resolution 39/46, annex.
[10] Resolution 34/180, annex.
[11] See CD/1478.

implementing the commitments made to the representative of the Secretary-General on internally displaced persons and ensuring their access to effective protection and assistance;

(l) To liberalize the system for maintaining public order;

(m) To implement the Standard Minimum Rules for the Treatment of Prisoners;[12]

(n) To ensure that capital punishment will not be imposed for crimes other than the most serious and will not be pronounced in disregard of the obligations assumed under the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child[2] and the provisions of United Nations safeguards;

(o) To make further efforts to implement the commitment made to the Special Representative of the Secretary-General for Children and Armed Conflict not to recruit children under the age of eighteen as soldiers;

5. *Encourages*:

(a) The Government of the Sudan to continue its cooperation with the United Nations in the field of human rights through the Special Rapporteur and the Office of the United Nations High Commissioner for Human Rights and its expert in Khartoum entrusted with the task of advising the Government on the development of national capacity to promote and protect human rights;

(b) The Sudan People's Liberation Army/Movement to allow the people-to-people peace process to develop freely and unhindered and to consider it an important contribution to the peace process;

6. *Calls upon* the international community:

(a) To expand its support for activities aimed at improving respect for human rights and humanitarian law in the Sudan, in particular those of the Committee for the Eradication of Abduction of Women and Children, and to continue assisting in building up democratic and civil society structures in the Sudan;

(b) To consider how to expand the Office of the United Nations High Commissioner for Human Rights to include a monitoring role aimed at improving respect for human rights and humanitarian law in the Sudan;

7. *Decides* to continue its consideration of the situation of human rights in the Sudan at its fifty-eighth session, under the item entitled "Human rights questions", in the light of further elements provided by the Commission on Human Rights.

---

[12] See *Human Rights: A Compilation of International Instruments*, volume I (First Part) (United Nations publication, Sales No. E.94.XIV.1 (Vol. I, Part 1)).

United Nations A/C.3/57/L.43/Rev.1

General Assembly

Distr.: Limited
19 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (c)
Human rights questions: human rights situations and reports of special rapporteurs and representatives

Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Poland, Portugal, Romania, San Marino, Slovenia, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland: revised draft resolution

Situation of human rights in the Sudan

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and the duty to fulfil the obligations that they have undertaken under the various international instruments in this field,

Mindful that the Sudan is a party to the International Covenant on Civil and Political Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[1] the Convention on the Rights of the Child,[2] the African Charter on Human and Peoples' Rights[3] and the Geneva Conventions of 12 August 1949 for the protection of victims of war,[4]

Recalling its previous resolutions on the situation of human rights in the Sudan, and taking note of Commission on Human Rights resolution 2002/16 of 19 April 2002,[5]

Taking note of Security Council resolution 1372 (2001) of 28 September 2001,

---

[1] Resolution 2200 A (XXI), annex.
[2] Resolution 44/25, annex.
[3] United Nations, *Treaty Series*, vol. 1520, No. 26363.
[4] Ibid., vol. 75, Nos. 970-973.
[5] See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

02-69918 (E) 191102

Noting with appreciation the recent developments within the peace talks led by the Intergovernmental Authority on Development, and expressing its firm belief that human rights should become a key element in the peace talks in view of the link between a sustainable peace and respect for human rights,

1. *Welcomes*:

(a) The Machakos Protocol of 20 July 2002 and the announcement that both parties have agreed to a cessation of hostilities in all areas following the signature of the memorandum of understanding between the Government of the Sudan and the Sudan People's Liberation Army/Movement on the resumption of negotiations on peace in the Sudan, as well as the agreement on procedures for unimpeded humanitarian aid access signed by the Government of the Sudan, the Sudan People's Liberation Army/Movement and the United Nations;

(b) The extension of the ceasefire agreement in the Nuba Mountains, signed on 19 January 2002 by the Government of the Sudan and the Sudan People's Liberation Army/Movement, as well as the Khartoum agreement to protect civilians and civilian facilities from military attacks, also signed by them on 10 March 2002;

(c) The commitment of the Government of the Sudan to facilitate the establishment of an independent national institution on human rights;

(d) The recent visit of the Secretary-General to the Sudan;

(e) The interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Sudan submitted to the General Assembly at its fifty-seventh session[6] and the cooperation extended by the Government of the Sudan to the Special Rapporteur during his visits to the Sudan in February, March and October 2002;

(f) The cooperation extended by the Government of the Sudan and the Sudan People's Liberation Army/Movement to other United Nations mandate holders in the field of human rights, as well as their recent cooperation with the United Nations and other humanitarian agencies, to mitigate the effects of war on civilians, and emphasizes the need to adhere to the principle of full, safe and unhindered access and to strengthen the support to such agencies;

(g) The commitment of the Government of the Sudan to embark on a programme of civic education in democracy and to create an inter-party liaison mechanism in order to foster democratization;

(h) The establishment by the Government of the Sudan of an advisory council for Christians and its commitment to appoint Christians to senior executive positions within the Ministry for Religious Affairs and to promote inter-religious dialogue;

(i) Decree 14/2002 of 26 January 2002 of the President of the Republic of the Sudan re-establishing and further empowering the Committee for the Eradication of Abduction of Women and Children, the Committee's facilitation of flights to repatriate abducted children and its intention to hold tribal conferences in Kordofan and Darfur, as well as the facilitation and support by the Government and the Sudan People's Liberation Army/Movement for the International Eminent Persons Group,

[6] A/57/326.

that investigated slavery, abduction and forced servitude in the Sudan during their April and May 2002 visit, the report issued by the International Eminent Persons Group on 22 May 2002 and commitment of the Government and the Sudan People's Liberation Army/Movement to consider implementing the Group's recommendations;[7]

(j) The signing of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;[8]

2. *Expresses its deep concern* at:

(a) The impact of the ongoing armed conflict on the situation of human rights and its adverse effects on the civilian population, in particular women, children and internally displaced persons, and at the continuing serious violations of human rights, fundamental freedoms and international humanitarian law by all parties to the conflict;

(b) The Government of the Sudan's decision to keep in place the state of emergency until the end of 2002;

(c) The occurrence of restrictions on freedom of thought, conscience, religion and belief and on freedom of association, assembly, opinion and expression;

(d) The cases of torture and ill-treatment of civilians, extrajudicial summary or arbitrary execution, arbitrary arrest, detention without trial and corporal punishment in its cruellest forms;

(e) The negative role of undisciplined southern militias, armed and supported by all parties to the conflict, which are responsible for killings, torture, kidnappings, rape, the burning of villages, the destruction of crops and the theft of livestock;

(f) The forced conscription and displacement, enforced or involuntary disappearances, as well as other acts of intimidation and harassment against the population;

(g) Violation of the rights of women, including discrimination against women and girls, the harassment of women by security forces and serious human rights abuses such as killing, rape, abduction and female genital mutilation;

(h) Violations of the rights of the child, including the recruitment and use of children as soldiers and the subjection of children to forced labour, contrary to human rights and international law;

(i) The extensive use of the death penalty, contrary to the obligations assumed by the Government of the Sudan under the provisions of the International Covenant on Civil and Political Rights[1] as well as other human rights instruments, the use of special courts, especially in Darfur, with military personnel appointed as judges and with a lack of legal representation, the occurrence of group sentencing and the imposition of the death penalty on persons below eighteen years of age at the time of the commission of their crime, contrary to the obligations assumed by the Government of the Sudan under the Convention on the Rights of the Child,[2] all of which raises serious doubts regarding the validity of the legal processes;

(j) The abduction of women and children by tribal groups and other militias;

---

[7] Slavery, Abduction and Forced Servitude in Sudan: report of the International Eminent Persons Group, 22 May 2002, United States Department of State.

[8] Resolution 54/263, annex I.

(k) The numerous and repeated difficulties encountered by United Nations and humanitarian staff in carrying out their mandate in the Sudan and the conditions imposed on humanitarian organizations, in contravention of humanitarian principles, in particular the denial of access to them, which has had grave consequences for the civilian population affected by the armed conflict and led to the withdrawal of many such organizations before the agreement on procedures for unimpeded humanitarian aid access;

(l) The forced displacement of populations in the Sudan as a result of the armed conflict in particular in areas surrounding the oilfields;

(m) The continuation of indiscriminate aerial bombardment of civil targets and indiscriminate artillery shelling against the civilian population, as well as the use of civilian premises for military purposes;

3. *Urges* all parties to the conflict in the Sudan:

(a) To seize the prospect of peace to ensure continued progress in the fields of human rights, democratization and the rule of law, thereby creating a climate of mutual trust and confidence that will create the basis for a viable peace and facilitate reconciliation;

(b) To respect and protect human rights and fundamental freedoms, to respect fully international humanitarian law, in particular the need to ensure the protection of civilians and civilian premises, thereby facilitating the voluntary return, repatriation and reintegration of refugees and internally displaced persons to their homes, and to ensure that those responsible for violations of human rights and international humanitarian law are brought to justice;

(c) To adhere to initial agreements signed within the Machakos Protocol framework, to take necessary measures to facilitate the peace negotiations and to work actively towards the establishment of a just and viable peace, based on respect of human rights and the principles of democratization and the rule of law, under the auspices of the Intergovernmental Authority on Development peace process;

(d) To enhance the implementation of the Khartoum agreement to protect civilians and civilian facilities from military attacks, and in particular urges the Government of the Sudan to cease immediately all indiscriminate aerial bombardments and attacks against the civilian population and civilian installations and the Sudan People's Liberation Army/Movement and to cease immediately indiscriminate artillery shelling against the civilian population, using civilian premises for military purposes, misappropriating humanitarian assistance and diverting relief supplies, including food, from their civilian recipients;

(e) To refrain from military activities as a demonstration of their willingness to seek a peaceful solution to the long-standing conflict and to adhere to a comprehensive ceasefire as part of a just peace negotiation process;

(f) To stop the support to and use of tribal militias that commit grave human rights abuses;

(g) To continue adhering to the agreement on procedures for unimpeded humanitarian aid access to secure full, safe and unhindered access to all international agencies and humanitarian organizations in order to facilitate by all possible means the delivery of humanitarian assistance, in conformity with relevant

provisions of international humanitarian law, to all civilians in need of protection and assistance and to continue to cooperate with the Office for the Coordination of Humanitarian Affairs of the Secretariat and Operation Lifeline Sudan;

(h) Not to use or recruit children under the age of eighteen as soldiers, to continue demobilizing child soldiers, to refrain from the practice of forced conscription and to fulfil the commitments made concerning the protection of children affected by war, including cessation of the use of anti-personnel landmines, attacks on sites where there is usually a significant presence of children and the abduction and exploitation of children, as well as to ensure access to and return of displaced and unaccompanied minors and to reunify them with their families;

4. *Calls upon* the Government of the Sudan:

(a) To comply fully with its obligations under international human rights instruments to which the Sudan is a party and to promote and protect human rights and fundamental freedoms, as well as to respect its obligations under international humanitarian law;

(b) To fulfil its commitments to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[9] to sign and ratify the Convention on the Elimination of All Forms of Discrimination against Women,[10] and to consider ratifying the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction;[11]

(c) To end the state of emergency now that the stated reasons for its imposition have been resolved, namely through the constitutional amendment allowing the Presidential appointment of governors, and to undertake further efforts to promote an environment conducive to a genuine process of democratization that reflects the aspirations of the people and ensures their full participation;

(d) To end impunity for human rights violations and to try perpetrators in accordance with the rule of law, as well as to strengthen the role of the Advisory Council on Human Rights to investigate all reported human rights violations, including acts of torture;

(e) To fulfil its commitment to establish an independent national institution on human rights and to create a general legal framework facilitating the establishment of organizations in the field of human rights and to further encourage and support the Advisory Council on Human Rights in enhancing the promotion of human rights in the Sudan through its various activities, including its advisory services and advocacy activities;

(f) To ensure full respect for freedom of religion and conscience and, in this regard, to undertake measures to end discrimination based on religion;

(g) To ensure full respect for freedom of association, assembly, opinion, thought and expression throughout the territory of the Sudan and to fully implement existing legislation, in particular the Associations and Political Parties Act;

(h) To raise the age of criminal responsibility for children in order to take into account the observations of the Committee on the Rights of the Child;

---

[9] Resolution 39/46, annex.

[10] Resolution 34/180, annex.

[11] See CD/1478.

(i) To continue and reinforce its efforts to prevent and stop the abduction of women and children taking place within the framework of the conflict in southern Sudan;

(j) To make concerted efforts to restrain the activities of Murahaleens and other tribal militias, to stop financing and equipping them and to uphold the suspension of the use of the government train to Bahr-el-Ghazal until peace is established;

(k) To cease the forced displacement of populations by any means, in particular in areas surrounding the oilfields, to continue its efforts to address effectively the worsening problem of internally displaced persons, including by implementing the commitments made to the representative of the Secretary-General on internally displaced persons and ensuring their access to effective protection and assistance;

(l) To liberalize the system for maintaining public order;

(m) To implement the Standard Minimum Rules for the Treatment of Prisoners;[12]

(n) To ensure that capital punishment will not be imposed for crimes other than the most serious and will not be pronounced in disregard of the obligations assumed under the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child as well as the provisions of United Nations safeguards;

(o) To make further efforts to implement the commitment made to the Special Representative of the Secretary-General for Children and Armed Conflict not to recruit children under the age of eighteen as soldiers and to enforce national laws that prevent the recruitment of children in armed conflicts;

5. *Encourages*:

(a) The Government of the Sudan to continue its cooperation with the United Nations in the field of human rights through the Special Rapporteur and the Office of the United Nations High Commissioner for Human Rights and its expert in Khartoum entrusted with the task of advising the Government on the development of national capacity to promote and protect human rights;

(b) The Sudan People's Liberation Army/Movement to allow the people-to-people peace process to develop freely and unhindered and to consider it an important contribution to the peace process;

6. *Calls upon* the international community to expand its support for activities aimed at improving respect for human rights and humanitarian law in the Sudan, in particular those of the Committee for the Eradication of Abduction of Women and Children, to continue assisting national efforts to build up democratic and civil society structures in the Sudan and to consider how to expand the Office of the United Nations High Commissioner for Human Rights to include a monitoring role;

---

[12] See *Human Rights: A Compilation of International Instruments*, volume I (First Part) (United Nations publication, Sales No. E.94.XIV.1 (Vol. I, Part 1)).

7. *Decides* to continue its consideration of the situation of human rights in the Sudan at its fifty-eighth session, under the item entitled "Human rights questions", in the light of further elements provided by the Commission on Human Rights.

United Nations A/C.3/57/L.44

General Assembly

Distr.: Limited
12 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Afghanistan, Algeria, Angola, Azerbaijan, Bangladesh, Benin, Bhutan, Burkina Faso, Burundi, Cameroon, China, Cuba, Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Ethiopia, Gambia, Guyana, Iran (Islamic Republic of), Jordan, Kenya, Libyan Arab Jamahiriya, Malaysia, Mali, Mauritius, Morocco, Mozambique, Myanmar, Namibia, Pakistan, Qatar, Saint Lucia, Somalia, South Africa, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Uganda, United Republic of Tanzania and Zambia: draft resolution

Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and expressing in particular the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[1] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2]

Recalling also the International Covenant on Civil and Political Rights[3] and the International Covenant on Economic, Social and Cultural Rights,[3]

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.
[3] See resolution 2200 A (XXI), annex.

02-68902 (E) 121102

Recalling the United Nations Millennium Declaration[4] and the outcome documents of the twenty-third[5] and twenty-fourth[6] special sessions of the General Assembly, held, respectively, in New York from 5 to 10 June 2000 and Geneva from 26 June to 1 July 2000,

Recalling also its resolutions 56/165 and 56/156 of 19 December 2001,

Recalling further the Commission on Human Rights resolution 2002/28 of 22 April 2002 on globalization and its impact on the full enjoyment of human rights,[7]

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, including in the field of human rights,

Realizing also that globalization is not merely an economic process but that it also has social, political, environmental, cultural and legal dimensions which have an impact on the full enjoyment of all human rights,

Realizing the need for undertaking a thorough, independent and comprehensive assessment of the social, environmental and cultural impact of globalization on societies,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, and convinced that, in their rich variety and diversity, and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind, and aware that the risk of a global monoculture poses more of a threat if the developing world remains poor and marginalized,

Recognizing that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Expressing concern at the negative impact of international financial turbulence on social and economic development and on the full enjoyment of all human rights,

Deeply concerned that the widening gap between the developed and the developing countries, and within countries, has contributed, inter alia, to deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Noting that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

---

[4] See resolution 55/2.

[5] Resolution S-23/2, annex, and resolution S-23/3, annex.

[6] Resolution S-24/2, annex.

[7] See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

2. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

3. *Reaffirms also* the commitment to creating an environment at both the national and the global level that is conducive to development and to the elimination of poverty through, inter alia, good governance within each country and at the international level, transparency in the financial, monetary and trading systems and commitment to an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system;

4. *Recognizes* that, while globalization offers great opportunities, its benefits are very unevenly shared and its costs are unevenly distributed, an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

5. *Welcomes* the report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights,[8] which focuses on the liberalization of agricultural trade and its impact on the realization of the right to development, including the right to food, and takes note of the conclusions and recommendations contained therein;

6. *Calls upon* Member States, relevant United Nations agencies, intergovernmental organizations and civil society to promote equitable and environmentally sustainable economic growth for managing globalization so that poverty is systematically reduced and the international development targets achieved;

7. *Recognizes* that only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

8. *Underlines* the urgent need to establish an equitable, transparent and democratic international system in which poor people and countries have a more effective voice;

9. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

10. *Affirms also* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

11. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

[8] E/CN.4/2002/54.

12. *Takes note* of the report of the Secretary-General,[9] and requests the Secretary-General to further seek the views of Member States and relevant United Nations agencies and to submit a substantive report on this subject to the General Assembly at its fifty-eighth session.

---

[9] A/57/205 and Add.1.

United Nations A/C.3/57/L.45

General Assembly

Distr.: Limited
12 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Antigua and Barbuda, Bahamas, Barbados, Belize, Benin, Burkina Faso, Cameroon, Congo, Costa Rica, Dominica, Dominican Republic, Grenada, Guyana, Haiti, Kenya, Mexico, Nicaragua, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, South Africa, Suriname, Timor-Leste, Trinidad and Tobago and Uganda: draft resolution

Human rights education

The General Assembly,

Taking into account Commission on Human Rights resolution 2001/61 of 25 April 2001[1] regarding the importance of human rights education as a priority in education policies,

Considering Economic and Social Council resolution 2001/38 of 26 July 2001 on human rights education,

Recalling General Assembly resolution 56/147 of 19 December 2001 on human rights education,

Convinced that human rights education and information contribute to the concept of development consistent with the dignity of women and men of all ages, which takes into account particularly vulnerable segments of society of all ages, such as children, youth, older persons, indigenous people, minorities, rural and urban poor, migrant workers, refugees, persons with the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and disabled persons,

Considering the importance of human rights education,

Convinced that human rights education is a key to development,

[1] See *Official Records of the Economic and Social Council, 2001, Supplement No. 3* (E/2001/23), chap. II.

02-68932 (E) 121102

Taking note with appreciation of the mid-term global evaluation of the progress made towards the achievement of the objectives of the United Nations Decade for Human Rights Education, 1995-2004, contained in the report of the United Nations High Commissioner for Human Rights,[2]

Taking into account the recommendations of the mid-term global evaluation of the progress made towards the achievement of the objectives of the United Nations Decade for Human Rights Education, 1995-2004,

1. *Invites* all Governments to reaffirm their commitments and obligations to develop national strategies for human rights education which are comprehensive, participatory and effective and which can be embodied in a national plan of action for human rights education as part of their national development plans;

2. *Invites* the United Nations, intergovernmental organizations, the United Nations Educational, Scientific and Cultural Organization and other relevant intergovernmental organizations to adopt a system-wide approach to the United Nations Decade for Human Rights Education, 1995-2004;

3. *Invites* relevant regional human rights organizations, agencies and networks to develop human rights education programmes and human rights training programmes and strategies for wider distribution of material on human rights education in all possible languages;

4. *Recognizes* the role that non-governmental organizations play in developing and implementing strategies to assist Governments to integrate human rights education into all levels of education for children, youth and adults;

5. *Requests* the Secretary-General to submit to the General Assembly at its fifty-eighth session a report on the implementation of the present resolution.

---

[2] See A/55/360.

United Nations A/C.3/57/L.46

General Assembly

Distr.: Limited
12 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Afghanistan, Angola, Argentina, Azerbaijan, Bangladesh, Benin, Bosnia and Herzegovina, Chile, Costa Rica, Egypt, Fiji, Georgia, Kazakhstan, Kyrgyzstan, Libyan Arab Jamahiriya, Pakistan, Panama, Senegal, Tajikistan and Ukraine: draft resolution

Missing persons

The General Assembly,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Guided also by the principles and norms of international humanitarian law, in particular the Geneva Conventions of 12 August 1949[1] and the additional Protocols thereto of 1977,[2] as well as international standards of human rights, in particular the Universal Declaration of Human Rights,[3] the International Covenant on Economic, Social and Cultural Rights,[4] the International Covenant on Civil and Political Rights,[4] the Convention on the Rights of the Child[5] and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[6]

Recalling Commission on Human Rights resolution 2002/60 adopted unanimously on 25 April 2002,[7]

---

[1] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.
[2] Ibid., vol. 1125, Nos. 17512 and 17513.
[3] Resolution 217 A (III).
[4] See resolution 2200 A (XXI), annex.
[5] Resolution 44/25, annex.
[6] A/CONF.157/24 (Part I), chap. III.
[7] See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

02-68938 (E) 121102

Noting with deep concern that armed conflicts are continuing in various parts of the world, often resulting in serious violations of international humanitarian law and human rights law,

Recognizing that great technological progress has been pioneered in the field of DNA forensic sciences with regard to missing persons, such as the work done by the International Commission on Missing Persons, based in Sarajevo, Bosnia and Herzegovina, which could significantly improve efforts to identify missing persons from other conflict areas in the world,

Noting in this regard that the issue of persons reported missing in connection with international armed conflicts, in particular those who are victims of serious violations of international humanitarian law and human rights law, continues to have a negative impact on efforts to put an end to those conflicts,

1. *Urges* States strictly to observe and respect and ensure respect for the rules of international humanitarian law, as set out in the Geneva Conventions of 1949 and the additional Protocols thereto of 1977;

2. *Reaffirms* the right of families to know the fate of their relatives reported missing in connection with armed conflict;

3. *Also reaffirms* that each party to an armed conflict, as soon as circumstances permit and at the latest from the end of active hostilities, shall search for the persons who have been reported missing by an adverse party;

4. *Calls upon* States which are parties to an armed conflict to take immediate steps to determine the identity and fate of persons reported missing in connection with the armed conflict;

5. *Requests* States to pay the utmost attention to cases of children reported missing in connection with armed conflicts and to take appropriate measures to search for and identify those children;

6. *Invites* States which are parties to an armed conflict to cooperate fully with the International Committee of the Red Cross in establishing the fate of missing persons and to adopt a comprehensive approach to this issue, including all practical and coordination mechanisms that may be necessary, based on humanitarian considerations only;

7. *Urges* States and encourages intergovernmental and non-governmental organizations to take all necessary measures at the national, regional and international levels to address the problem of persons reported missing in connection with armed conflicts and to provide appropriate assistance as requested by the States concerned;

8. *Invites* all relevant human rights mechanisms and procedures, as appropriate, to address the problem of persons reported missing in connection with armed conflicts in their forthcoming reports to the General Assembly;

9. *Requests* the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations bodies, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations;

10. *Decides* to remain seized of the matter at its fifty-ninth session.

United Nations A/C.3/57/L.47

General Assembly

Distr.: Limited
12 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Cameroon, Canada, Chile, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela and Yugoslavia: draft resolution

Elimination of all forms of religious intolerance

The General Assembly,

Recalling that all States have pledged themselves, under the Charter of the United Nations, to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter,

Recalling article 18 of the Universal Declaration of Human Rights,[1] article 18 of the International Covenant on Civil and Political Rights[2] and paragraph 4 of the United Nations Millennium Declaration,[3]

[1] Resolution 217 (III).
[2] See resolution 2200 A (XXI), annex.
[3] See resolution 55/2.

02-68959 (E) 121102

Reaffirming its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief,

Noting the provisions of the Durban Declaration[4] and Programme of Action[4] adopted by the World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, aimed at combating religious intolerance,

Emphasizing that the right to freedom of thought, conscience, religion and belief is far-reaching and profound and that it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others, and in public or private,

Reaffirming the call of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, for all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,[5]

Underlining the important role of education in the promotion of tolerance and elimination of discrimination based on religion or belief,

Alarmed that serious instances of intolerance and discrimination on the grounds of religion or belief, including acts of violence, intimidation and coercion motivated by religious intolerance are on the increase in many parts of the world and threaten the enjoyment of human rights and fundamental freedoms,

Deeply concerned that, as reported by the Special Rapporteur of the Commission on Human Rights on freedom of religion or belief, the rights violated on religious grounds include the right to life, the right to physical integrity and to liberty and security of person, the right to freedom of expression, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment and the right not to be arbitrarily arrested or detained,

Believing that intensified efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief, as also emphasized at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

1. *Reaffirms* that freedom of thought, conscience, religion and belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. *Urges* States to ensure that their constitutional and legal systems provide effective guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies in cases where the right to freedom of thought, conscience, religion or belief is violated;

---

[4] See A/CONF.189/12, chap. I.

[5] A/CONF.157/24 (Part I), chap. II, sect. II, para. 22.

3. *Also urges* States to ensure, in particular, that no one within their jurisdiction is, because of their religion or belief, deprived of the right to life or the right to liberty and security of person or subjected to torture or arbitrary arrest or detention and to bring to justice all perpetrators of violations of these rights;

4. *Further urges* States, in conformity with international standards of human rights, to take all necessary action to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, with particular regard to persons belonging to religious minorities;

5. *Urges* States, to devote particular attention to all practices motivated by religion or belief that lead, directly or indirectly, to violations of the human rights of women and to discrimination against women;

6. *Emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest religion or belief are permitted only if those limitations that are prescribed by law are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

7. *Urges* States to ensure that, in the course of their official duties, members of law enforcement bodies and the military, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs and that any necessary and appropriate education or training is provided;

8. *Calls upon* all States to recognize, as provided in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,[6] the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for those purposes;

9. *Expresses its grave concern* at all attacks upon religious places, sites and shrines, and calls upon all States, in accordance with their national legislation and in conformity with international human rights standards, to exert their utmost efforts to ensure that such places, sites and shrines are fully respected and protected and to take additional measures in cases where they are vulnerable to desecration or destruction;

10. *Recognizes* that legislation alone is not enough to prevent violations of human rights, including the right to freedom of religion or belief, and that the exercise of tolerance and non-discrimination by persons and groups is necessary for the full realization of the aims of the Declaration, and in this regard, invites States, religious bodies and civil society to undertake dialogue at all levels to promote greater tolerance, respect and understanding of freedom of religion or belief and to encourage and promote, through the educational system and by other means, understanding, tolerance and respect in matters relating to freedom of religion or belief;

[6] See resolution 36/55.

11. *Takes note with appreciation* of the interim report of the Special Rapporteur of the Commission on Human Rights on freedom of religion or belief[7] and encourages his continued efforts to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

12. *Calls upon* all States to cooperate with the Special Rapporteur and to give serious consideration to his requests to visit their countries so as to enable him to fulfil his mandate fully and effectively;

13. *Welcomes* the initiatives of Governments and non-governmental organizations to collaborate with the Special Rapporteur, and in this regard invites Governments to give consideration to the final document adopted at the International Consultative Conference on School Education in relation to Freedom of Religion and Belief, Tolerance and Non-discrimination, held in Madrid from 23 to 25 November 2001;

14. *Urges* States to make all appropriate efforts to encourage those engaged in teaching to cultivate respect for all religions or beliefs, thereby promoting mutual understanding and tolerance;

15. *Encourages* Governments, when seeking the assistance of the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights, to consider, where appropriate, including requests for assistance in the field of the promotion and protection of the right to freedom of thought, conscience, religion or belief;

16. *Welcomes and encourages* the continuing efforts of non-governmental organizations and religious bodies and groups to promote the implementation and dissemination of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief, and also encourages their work in relation to promoting freedom of religion or belief and in highlighting cases of religious intolerance, discrimination and persecution;

17. *Requests* the Commission on Human Rights to continue its consideration of measures to implement the Declaration;

18. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the necessary resources to enable him to discharge his mandate;

19. *Decides* to consider the question of the elimination of all forms of religious intolerance at its fifty-eighth session under the item entitled "Human rights questions", and requests the Special Rapporteur to submit an interim report to the General Assembly on this item.

---

[7] A/57/274.

United Nations A/C.3/57/L.48

General Assembly

Distr.: Limited
12 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (c)
Human rights questions: human rights situations and reports of special rapporteurs and representatives

Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Costa Rica, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, San Marino, Slovenia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Situation of human rights in Myanmar

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other human rights instruments,

Reaffirming that all States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in the field,

Aware that Myanmar is a party to the Convention on the Rights of the Child,[3] the Convention on the Elimination of All Forms of Discrimination against Women,[4] the Geneva Conventions of 12 August 1949 on the protection of the victims of war,[5] as well as the Convention concerning forced or compulsory labour (Convention No. 29) of 1930 and the Convention concerning freedom of association and protection of the right to organize (Convention No. 87) of 1948 of the International Labour Organization,

---

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.
[3] Resolution 44/25, annex.
[4] Resolution 34/180, annex.
[5] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

02-68990 (E) 131102

Recalling its previous resolutions on the subject, the most recent of which is resolution 56/231 of 24 December 2001, and those of the Commission on Human Rights, the most recent of which is resolution 2002/67 of 25 April 2002,[6]

Recalling resolution 1 adopted by the International Labour Conference at its eighty-eighth session, on 14 June 2000, concerning the practice of forced or compulsory labour in Myanmar,

Affirming that the will of the people is the basis of the authority of government and that the will of the people of Myanmar was clearly expressed in the elections held in 1990,

Affirming also that the establishment of a genuine democratic government in Myanmar is essential for the realization of all human rights and fundamental freedoms,

1. *Welcomes*:

(a) The preliminary steps taken by the Government of Myanmar towards democracy, in particular: the release from house arrest of Aung San Suu Kyi on 6 May 2002 and her subsequent internal freedom of movement, the release of a number of political prisoners, and the relaxation of some constraints on some political activities of the National League for Democracy;

(b) The appointment by the International Labour Organization of a liaison officer in Myanmar as a first step towards the establishment of full and effective representation of the Organization in Myanmar;

(c) The visits to Myanmar by the Special Envoy of the Secretary-General on Myanmar during the past year, and the visits by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar, and the cooperation extended to them by the Government of Myanmar;

(d) The continued cooperation with the International Committee of the Red Cross;

(e) The dissemination of human rights standards for public officials and some non-governmental organizations and ethnic groups through a series of human rights workshops;

2. *Notes* the establishment by the Government of Myanmar of a committee on human rights as a precursor to the establishment of a national human rights commission, which would follow the Principles relating to the status of national institutions for the promotion and protection of human rights annexed to General Assembly resolution 48/134 of 20 December 1993;

3. *Expresses its grave concern* at:

(a) The ongoing systematic violation of the human rights, including civil, political, economic, social and cultural rights, of the people of Myanmar;

(b) Extrajudicial killings; rapes and other forms of sexual violence carried out by members of the armed forces; torture; renewed instances of political arrests and continuing detentions, including of prisoners whose sentences have expired;

---

[6] See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

forced relocation; destruction of livelihoods; forced labour; denial of freedoms of assembly, association, expression and movement; discrimination on the basis of religious or ethnic background; wide disrespect for the rule of law and lack of independence of the judiciary; deeply unsatisfactory conditions of detention; systematic use of child soldiers; and violations of the rights to an adequate standard of living, in particular food and medical care, and to education;

(c) The disproportionate suffering of members of ethnic minorities, women and children from such violations;

(d) The situation of the large number of internally displaced persons and the flow of refugees to neighbouring countries;

(e) The ever-increasing impact of the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) on the population of Myanmar;

4. *Calls upon* the Government of Myanmar:

(a) To fulfil its obligations to restore the independence of the judiciary and due process of law, and to take further steps to reform the system of the administration of justice;

(b) To take immediate action to implement fully concrete legislative, executive and administrative measures to eradicate the practice of forced labour and to implement fully the recommendations of the Commission of Inquiry established to examine the observance by Myanmar of the International Labour Organization Convention concerning forced or compulsory labour (Convention No. 29) of 1930;

(c) To pursue the dialogue with the International Labour Organization towards the implementation of a full and effective representation of the organization in Myanmar;

(d) To ensure safe and unhindered access to the United Nations and international humanitarian organizations and to cooperate fully with all sectors of society, especially with the National League for Democracy and other relevant political, ethnic and community-based groups through consultation, to ensure the provision of humanitarian assistance and to guarantee that it actually reaches the most vulnerable groups of the population;

(e) To continue to cooperate with the Special Envoy of the Secretary-General on Myanmar and the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar;

(f) To consider as a matter of high priority becoming a party to: the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights,[2] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[7] the International Convention on the Elimination of All Forms of Racial Discrimination,[8] the Convention relating to the Status of Refugees[9] and its Protocol,[10] the Optional Protocol on the involvement of children in armed conflict[11] to the Convention on

---

[7] Resolution 39/46, annex.

[8] Resolution 34/180, annex.

[9] United Nations, *Treaty Series*, vol. 189, No. 2545.

[10] Ibid., vol. 606, No. 8791.

[11] Resolution 54/263, annex I.

the Rights of the Child[3] and the International Labour Organization Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labour (Convention No. 182) of 1999;

(g) To pursue through dialogue and peaceful means an end to conflict with all ethnic groups in Myanmar;

5. *Strongly urges* the Government of Myanmar:

(a) To restore democracy and implement the results of the 1990 elections and to ensure that the contacts with Aung San Suu Kyi and other leaders of the National League for Democracy move without delay into substantive and structured dialogue towards democratization and national reconciliation and at an early stage to include other political leaders in these talks, including the representatives of the ethnic groups;

(b) To end the systematic violations of human rights in Myanmar and to ensure full respect for all human rights and fundamental freedoms and, to end impunity, to investigate and bring to justice any perpetrators of human rights violations, including members of the military and other government agents in all circumstances;

(c) To facilitate and cooperate fully with an independent international investigation of charges of rapes and other abuse of civilians carried out by members of the armed forces in Shan and other states;

(d) To release unconditionally and immediately all political prisoners;

(e) To put an immediate end to the recruitment and use of child soldiers and to extend full cooperation to relevant international organizations in order to ensure the demobilization of child soldiers, their return home and their rehabilitation;

(f) To lift all restraints on peaceful political activity, including guaranteeing freedom of association and freedom of expression, including freedom of the media;

(g) To end the systematic enforced displacement of persons and other causes of refugee flows to neighbouring countries, and to provide the necessary protection and assistance to internally displaced persons and to respect the right of refugees to voluntary, safe and dignified return monitored by appropriate international agencies;

(h) To recognize the gravity of the situation regarding HIV/AIDS and the need to take necessary action against the epidemic, including through the effective implementation in Myanmar of the United Nations joint action plan on HIV/AIDS, in cooperation with all relevant political and ethnic groups;

6. *Requests* the Secretary-General to continue to provide his good offices and to pursue his discussions on the situation of human rights and the restoration of democracy with the Government and people of Myanmar, to submit additional reports to the General Assembly during its fifty-seventh session on the progress of those discussions, and to report to the Assembly at its fifty-eighth session and to the Commission on Human Rights at its fifty-ninth session on the progress made in the implementation of the present resolution;

7. *Decides* to continue consideration of this question at its fifty-eighth session.

United Nations A/C.3/57/L.49

General Assembly

Distr.: Limited
12 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (c)
Human rights questions: human rights situations and reports of special rapporteurs and representatives

Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, Norway, Poland, Portugal, San Marino, Slovenia, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland: draft resolution

Human rights situation in Iraq

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Aware that Iraq is a party to the International Covenants on Human Rights, other international human rights instruments and the Geneva Conventions of 12 August 1949 for the protection of victims of war,[3]

Recalling its previous resolutions on this subject, the most recent of which is 56/174 of 19 December 2002 and those of the Commission on Human Rights, the most recent of which is 2002/15 of 19 April 2002,[4]

Recalling also Security Council resolution 686 (1991) of 2 March 1991, in which the Council called upon Iraq to release all Kuwaitis and nationals of other

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.
[3] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.
[4] See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

02-68996 (E) 131102

States who might still be held in detention, Council resolution 687 (1991) of 3 April 1991, Council resolution 688 (1991) of 5 April 1991, in which the Council demanded an end to repression of the Iraqi civilian population and insisted that Iraq cooperate with humanitarian organizations and that the human rights of all Iraqi citizens be respected, Council resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1210 (1998) of 24 November 1998, 1242 (1999) of 21 May 1999, 1266 (1999) of 4 October 1999, 1281 (1999) of 10 December 1999, 1302 (2000) of 8 June 2000, 1330 (2000) of 5 December 2000, 1352 (2001) of 1 June 2001, 1360 (2001) of 3 July 2001 and 1382 (2001) of 29 November 2001, in which the Council authorized States to permit imports of Iraqi oil in order to allow Iraq to purchase humanitarian supplies, Council resolution 1284 (1999) of 17 December 1999, in which the Council, by means of a comprehensive approach to the situation in Iraq, inter alia, removed the ceiling for the allowable import of Iraqi oil in order to increase the amount of revenue available for the purchase of humanitarian supplies, laid down new provisions and procedures designed to improve the implementation of the humanitarian programme and to further achievement in meeting the humanitarian needs of the Iraqi population and reiterated the obligation of Iraq to facilitate the repatriation of all Kuwaiti and third-country nationals referred to in paragraph 30 of Council resolution 687 (1991), and the most recent resolution of the Council, 1409 (2002) of 14 May 2002, in which the Council significantly eases the United Nations sanctions on Iraq,

Taking note of the concluding observations of the Human Rights Committee,[5] the Committee on the Elimination of Racial Discrimination,[6] the Committee on Economic, Social and Cultural Rights,[7] the Committee on the Rights of the Child[8] and the Committee on the Elimination of Discrimination against Women[9] on the most recent reports submitted to them by Iraq, in which these treaty-monitoring bodies point to a wide range of human rights problems and express the view that the Government of Iraq remains bound by its treaty obligations, while pointing to the adverse effect of sanctions on the daily life of the population, in particular women and children,

Reaffirming that it is the responsibility of the Government of Iraq to ensure the well-being of its entire population and the full enjoyment of all human rights and fundamental freedoms,

Deploring all violations of human rights and international humanitarian law in Iraq, as mentioned in the reports of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq,[10]

Appealing to all concerned to fulfil their mutual obligations in the management of the humanitarian programme referred to in Security Council resolution 986 (1995) and other relevant Security Council resolutions,

---

[5] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 40* (A/53/40), vol. I, paras. 90-111.

[6] Ibid., *Fifty-fourth Session, Supplement No. 18* (A/54/18), paras. 337-361.

[7] *Official Records of the Economic and Social Council, 1998, Supplement No. 2* (E/1998/22), paras. 245-283.

[8] *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 41* (A/55/41), paras. 304-333.

[9] Ibid., *Supplement No. 38* (A/55/38), part II, chap. IV, sect. B, paras. 166-210.

[10] See A/57/325.

1. *Welcomes*:

(a) The report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq[10] and the exploratory visit by the Special Rapporteur to Iraq from 11 to 15 February 2002, which set the stage for future cooperation and constructive dialogue;

(b) Security Council resolution 1409 (2002), in which all exports to Iraq are allowed except for items which are on the goods review list[11] and which are therefore subject to review by the sanctions Committee;

2. *Notes* that the Government of Iraq has responded in writing to some requests for information made by the Special Rapporteur on the situation of human rights in Iraq;[10]

3. *Gravely concerned* that there has been no improvement in the situation of human rights in the country;

4. *Strongly condemns*:

(a) The systematic, widespread and extremely grave violations of human rights and of international humanitarian law by the Government of Iraq, resulting in all-pervasive repression and oppression sustained by broad-based discrimination and widespread terror;

(b) The suppression of freedom of thought, religion and belief, expression, information, association, assembly and movement through fear of arrest, imprisonment, execution, expulsion, house demolition and other sanctions;

(c) The repression faced by any kind of opposition, in particular the harassment and intimidation of and threats against Iraqi opponents living abroad and members of their families;

(d) The widespread use of the death penalty in disregard of the provisions of the International Covenant on Civil and Political Rights[12] and the United Nations safeguards;

(e) Summary and arbitrary executions, including political killings and the continued prison cleansing, the use of rape as a political tool, as well as enforced or involuntary disappearances, routinely practised arbitrary arrests and detention and consistent and routine failure to respect due process and the rule of law;

(f) Widespread, systematic torture and the maintaining of decrees prescribing cruel and inhuman punishment as a penalty for offences;

5. *Calls upon* the Government of Iraq:

(a) To abide by its freely undertaken obligations under international human rights instruments and international humanitarian law to respect and ensure the rights of all individuals, irrespective of their origin, ethnicity, gender or religion, within its territory and subject to its jurisdiction;

(b) To put an end to all summary and arbitrary executions and to end the imposition of the death penalty for crimes committed by persons under the age of eighteen years, and to ensure that capital punishment will not be imposed for crimes

[11] See S/2002/515, annex.

[12] Resolution 2200 A (XXI), annex.

other than the most serious and will not be pronounced in disregard of the obligations it has assumed under the International Covenant on Civil and Political Rights and the provisions of United Nations safeguards;

(c) To establish a moratorium on executions;

(d) To bring the actions of its military and security forces into conformity with the standards of international law, in particular those of the International Covenant on Civil and Political Rights;

(e) To establish independence of the judiciary and to abrogate all laws granting impunity to specified forces or persons killing or injuring individuals for any purpose beyond the administration of justice under the rule of law as prescribed by international standards;

(f) To abolish the functioning of the temporary special courts and ensure that the rule of law is respected at all times throughout the territory of Iraq in accordance with its freely undertaken obligation under international human rights instruments;

(g) To abrogate all decrees that prescribe cruel and inhuman punishment or treatment, including mutilation, and to ensure that torture and cruel punishment and treatment no longer occur;

(h) To abrogate all laws and procedures, including Revolution Command Council Decree No. 840 of 4 November 1986, that penalize free expression, and to ensure that the genuine will of the people shall be the basis of authority of the State;

(i) To cooperate fully with the relevant mechanisms of the Commission of Human Rights, in particular its Special Rapporteur on the situation of human rights in Iraq, and to ensure his access to Iraq, without preconditions, in order to allow him fully to discharge his mandate, including by allowing access to any person deemed appropriate by the Special Rapporteur;

(j) To reply urgently in writing to the request made by the Special Rapporteur for another visit to the country, and to proceed with the planning arrangements jointly with the Special Rapporteur;

(k) To implement the recommendations of the Special Rapporteur by providing detailed and comprehensive replies to letters relating to allegations of human rights violations transmitted by the Special Rapporteur and by allowing the stationing of human rights monitors throughout Iraq pursuant to the relevant resolutions of the General Assembly and the Commission on Human Rights;

(l) To ensure free exercise of political opposition and to prevent intimidation and repression of political opponents and their families;

(m) To respect the rights of all ethnic and religious groups and to cease immediately its continued repressive practices, including the practice of forced deportation and relocation, aimed at the Iraqi Kurds, Assyrians and Turkmen, and to ensure the personal integrity and freedoms of all citizens, including the Shi'ah population;

(n) To cooperate fully with the Tripartite Commission and its Technical Subcommittee to establish the whereabouts and resolve the fate of the remaining several hundred missing persons, including prisoners of war, Kuwaiti nationals and third-country nationals, victims of the illegal Iraqi occupation of Kuwait, to

cooperate with the Working Group on Enforced or Involuntary Disappearances of the Commission on Human Rights for that purpose, to cooperate with the high-level coordinator of the Secretary-General for the repatriation of all Kuwaiti and third-country nationals and Kuwaiti property in the implementation of section B of Security Council resolution 1284 (1999) of 17 December 1999, to pay compensation to the families of those who died or disappeared in the custody of the Iraqi authorities, through the mechanism established by the Security Council in resolution 692 (1991) of 20 May 1991, to release immediately all Kuwaitis and nationals of other States who may still be held in detention and inform families about the whereabouts of arrested persons, to provide information about death sentences imposed on prisoners of war and civilian detainees, and to issue death certificates for deceased prisoners of war and civilian detainees;

(o) To cooperate further with international aid agencies and non-governmental organizations to provide humanitarian assistance and monitoring in the northern and southern areas of the country;

(p) To continue to cooperate in the implementation of Security Council resolutions dealing with humanitarian and human rights matters;

(q) To cooperate in the identification of the minefields existing throughout Iraq, with a view to facilitating their marking and eventual clearing;

6. *Requests* the Secretary-General to continue to give all the necessary assistance to the Special Rapporteur to enable him to discharge his mandate fully, and decides to continue the examination of the situation of human rights in Iraq at its fifty-eighth session, under the item entitled "Human rights questions".

United Nations A/C.3/57/L.50

General Assembly

Distr.: Limited
12 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (c)
Human rights questions: human rights situations and reports of special rapporteurs and representatives

Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Luxembourg, Malta, Monaco, Netherlands, Poland, Portugal, San Marino, Slovenia, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland: draft resolution

Situation of human rights in the Democratic Republic of the Congo

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other human rights instruments,

Reaffirming that all Member States of the United Nations have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in the field,

Aware that the Democratic Republic of the Congo is a party to several international human rights instruments,[1]

[1] Inter alia, the International Covenant on Civil and Political Rights (resolution 2200 A (XXI)), the International Covenant on Economic, Social and Cultural Rights (resolution 2200 A (XXI)), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (resolution 39/46, annex), the Convention on the Elimination of All Forms of Discrimination against Women (resolution 34/180, annex), the International Convention on the Elimination of All Forms of Racial Discrimination (resolution 2106 A (XX), annex), the Convention on the Rights of the Child (resolution 44/25, annex) and the two optional protocols thereto (resolution 54/263, annexes I and II), the Convention on the Prevention and Punishment of the Crime of Genocide (resolution 260 A (III)), the Geneva Conventions of 12 August 1949 for the protection of victims of war (United Nations, *Treaty Series*, vol. 75, Nos. 970-973) and the first Additional Protocol thereto, of 1977 (United Nations, *Treaty Series*, vol. 1125, No. 17512), as well as the African Charter on Human and Peoples' Rights (United Nations, *Treaty Series*, vol. 1520, No. 26363).

02-69002 (E) 131102

Recalling its previous resolutions on the subject, the most recent of which is resolution 56/173 of 19 December 2001, and those of the Commission on Human Rights, the most recent of which is resolution 2002/14 of 19 April 2002, [2] as well as Security Council resolutions on the subject, the most recent of which is resolution 1417 (2002) of 14 June 2002,

Recalling also the Ceasefire Agreement signed at Lusaka,[3] as well as the Kampala disengagement plan[4] the Harare sub-plans for disengagement and redeployment, and the peace agreements signed at Pretoria[5] and Luanda,

Encouraging all Congolese parties to use the present momentum to promote an all-inclusive conclusion of the Inter-Congolese Dialogue,

Noting that the promotion and the protection of human rights for all are essential for achieving stability and security in the region and will contribute to the creation of the environment necessary for cooperation among States in the region,

Concerned at all violations of human rights and international humanitarian law in the territory of the Democratic Republic of the Congo by parties to the conflict, as mentioned in the reports of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Democratic Republic of the Congo,[6]

Concerned in particular at continuing violations of human rights and international humanitarian law in the eastern part of the Democratic Republic of the Congo,

Recalling its decision to request the special rapporteurs of the Commission on Human Rights on the situation of human rights in the Democratic Republic of the Congo and on extrajudicial, summary or arbitrary executions and a member of the Working Group on Enforced or Involuntary Disappearances to carry out a joint mission of investigation in the Democratic Republic of the Congo, while regretting that the security situation has not yet allowed such a mission,

1. *Welcomes*:

(a) The Peace Agreement signed in Pretoria on 30 July 2002 between the Governments of the Democratic Republic of the Congo and the Republic of Rwanda on the Withdrawal of the Rwandan Troops from the Territory of the Democratic Republic of the Congo and the Dismantling of the former Forces armées rwandaises and Interahamwe Forces in the Democratic Republic of the Congo and the programme of implementation of that Agreement;[5]

(b) The Peace Agreement signed in Luanda on 6 September 2002 between the Governments of the Democratic Republic of Congo and the Republic of Uganda on the withdrawal of Ugandan troops from the Democratic Republic of Congo and cooperation and normalization of relations between the two countries;

(c) The continuing dialogue between the authorities of the Democratic Republic of the Congo and Burundi and hope that this will result in the Democratic

---

[2] See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

[3] S/1999/815, annex.

[4] See S/2000/330 and Corr.1, paras. 21-28.

[5] See S/2002/914, annex.

[6] A/57/349 and A/57/437.

Republic of the Congo ceasing support for the rebel groups Forces de défense de la démocratie and Forces nationales pour la libération and all Burundi government forces withdrawing from the territory of the Democratic Republic of the Congo, leading to the permanent normalization of relations between the two countries;

(d) The significant foreign troop withdrawals from the territory of the Democratic Republic of the Congo;

(e) The release by the Government of the Democratic Republic of the Congo of some human rights defenders and its lifting of some restrictions on non-governmental organizations, and the adoption by the Government of Law No. 001 of 17 May 2001, on political parties, notwithstanding the statements made by the Government;

(f) The commitment by the Government of the Democratic Republic of the Congo to cooperate with United Nations agencies, non-governmental organizations and the World Bank to prepare for and implement demobilization and reintegration programmes, in particular for child soldiers;

(g) The ratification in 2001 by the Democratic Republic of the Congo of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;[7]

(h) The recent arrest and transferral to Arusha of a prominent suspect in the Rwandan genocide;

(i) The ratification in 2002 by the Democratic Republic of the Congo of the Statute of the International Criminal Court;[8]

(j) The reports of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Democratic Republic of the Congo and on her visit to the country from 13 to 19 February 2002;[6]

(k) The action undertaken by the human rights field office in the Democratic Republic of the Congo;

(l) The release and repatriation carried out under the auspices of the International Committee of the Red Cross in the Democratic Republic of the Congo, in conformity with international humanitarian law, of persons at risk because of their ethnic origin and of prisoners of war;

(m) The continuing presence and increased deployment of the United Nations Organization Mission in the Democratic Republic of the Congo in support of the implementation of the Lusaka Ceasefire Agreement and the relevant Security Council resolutions;

(n) The work of the Special Representative of the Secretary-General for the Democratic Republic of the Congo and Chief of the United Nations Organization Mission in the Democratic Republic of the Congo;

2. *Condemns*:

(a) The continuing violations of human rights, fundamental freedoms and international humanitarian law, including acts of and incitement to ethnic hatred and

[7] Resolution 54/263, annex I.
[8] A/CONF.183/9.

violence and atrocities against civilian populations, generally committed with complete impunity;

(b) All massacres and atrocities committed in the Democratic Republic of the Congo, as constituting indiscriminate and disproportionate use of force, in particular those occurring in areas held by armed rebels or under foreign occupation, and referring in this regard to the statement by the President of the Security Council of 23 July 2002 on the massacres that occurred in the region of Kisangani on 14 May 2002 and in the ensuing period;[9]

(c) The reprisals against civilian populations in parts of the country controlled by the Congolese Rally for Democracy, Rwanda and Uganda;

(d) The occurrence of cases of summary and arbitrary execution, disappearance, torture, beating, harassment and arrest, the persecution of individuals and the arbitrary detention for long periods of persons, including journalists, opposition politicians, human rights defenders, people who have cooperated with the United Nations mechanisms and other members of civil society;

(e) The indiscriminate attacks on civilian populations and on hospitals in areas held by rebel and by foreign forces;

(f) The recruitment and use of child soldiers by armed forces and groups, including the abduction of children throughout the territory of the Democratic Republic of the Congo, which is in contravention of international human rights standards;

(g) The widespread use of sexual violence against women and children, including as a means of warfare;

3. *Expresses its concern* at:

(a) The adverse impact of the conflict on the situation of human rights and its severe consequences for the security and well-being of the civilian population throughout the territory of the Democratic Republic of the Congo, including the increase in the number of refugees and displaced persons, in particular in the eastern part of the country;

(b) The breaches of freedom of expression, opinion, association and assembly throughout the territory of the Democratic Republic of the Congo, in particular in the eastern part of the country;

(c) The intention of the Government of the Democratic Republic of the Congo to suspend the moratorium on the carrying out of the death penalty;

(d) The illegal exploitation of the natural resources of the Democratic Republic of the Congo, with regard to the link between that exploitation and the conflict;

(e) The excessive accumulation and spread of small arms and the distribution, circulation and illicit trafficking of arms in the region and their negative impact on human rights;

(f) The severe insecurity, which seriously hampers the ability of humanitarian organizations to secure access to affected populations, particularly in

[9] S/PRST/2002/22.

the zones held by armed rebels and under the control of foreign forces, while condemning the killing of six humanitarian workers of the International Committee of the Red Cross on 26 April 2001 in the eastern part of the Democratic Republic of the Congo and the fact that those responsible remain to be brought to justice;

4. *Urges* all parties to the conflict in the Democratic Republic of the Congo:

(a) To cease, in accordance with all the relevant agreements and resolutions, all military activities in the country in order to facilitate, without delay, the re-establishment of the sovereignty and territorial integrity of the Democratic Republic of the Congo;

(b) To acknowledge that the peace agreements signed at Pretoria and Luanda present an unprecedented opportunity to bring peace to the entire Democratic Republic of the Congo and therefore all parties should suspend their armed campaigns and avoid seeking retribution against their old adversaries, which will only serve to prolong the agony of the Congolese people and the appalling humanitarian and human rights conditions that they have suffered;

(c) To implement all necessary measures to put an end to the widespread violations of human rights and to impunity, in particular with regard to the sexual violence against women and children;

(d) To allow free and secure access to areas under their control in order to permit investigations of violations of human rights and international human rights law;

(e) To respect international humanitarian law, in particular to ensure the safety of all civilians, and to take and implement all necessary measures to create conditions for the voluntary return of all refugees and displaced persons;

(f) To ensure the safety, security and freedom of movement of United Nations and associated personnel and the unhindered access of humanitarian personnel to all affected populations throughout the territory of the Democratic Republic of the Congo;

(g) To cooperate fully with the National Commission of Inquiry on the alleged massacres of a large number of refugees and displaced persons in the Democratic Republic of the Congo;

(h) To extend full cooperation to the United Nations system, humanitarian organizations and the World Bank in order to ensure the rapid demobilization and reintegration of armed groups and of child soldiers in particular;

5. *Calls upon* the Government of the Democratic Republic of the Congo to take specific measures in order:

(a) To comply fully with its obligations under international human rights law and to promote and protect human rights and fundamental freedoms;

(b) To prevent conditions that might lead to further flows of displaced persons and refugees within the Democratic Republic of the Congo and across its borders;

(c) To continue to honour its commitments to reform and restore the judicial system, to abolish the death penalty and to reform military justice, including that of

putting an end to the trying of civilians by the military court, in conformity with the provisions of the International Covenant on Civil and Political Rights;[10]

(d) To put an end to impunity and to ensure that those responsible for human rights violations and grave breaches of international humanitarian law are brought to justice;

(e) Along with other parties to the Inter-Congolese Dialogue to reach agreement with utmost urgency on a fully inclusive transitional government which can assert its authority and re-establish order throughout the territory of the Democratic Republic of the Congo;

(f) To continue to facilitate and further strengthen its cooperation with the human rights field office in the Democratic Republic of the Congo;

(g) To cooperate fully with the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, and demands that the Government of the Democratic Republic of the Congo arrest all known genocidaires in its territory;

6. *Calls upon* the Governments whose forces are in occupation of part of the territory of the Democratic Republic of the Congo to respect human rights and international humanitarian law in the areas still under their control and to withdraw their troops;

7. *Calls upon* the international community to support the human rights field office in the Democratic Republic of the Congo in order to make possible the effective implementation of its programmes;

8. *Decides*:

(a) To continue to examine the situation of human rights in the Democratic Republic of the Congo and to request the Special Rapporteur of the Commission on Human Rights to report to the General Assembly at its fifty-eighth session;

(b) To request the special rapporteurs on the situation of human rights in the Democratic Republic of the Congo and on extrajudicial, summary or arbitrary executions and a member of the Working Group on Enforced or Involuntary Disappearances to carry out, as soon as security considerations permit and, where appropriate, in cooperation with the National Commission of Inquiry to investigate alleged human rights violations and breaches of international humanitarian law in the Democratic Republic of the Congo between 1996 and 1997, a joint mission to investigate all massacres carried out on the territory of the Democratic Republic of the Congo with a view to bringing to justice those responsible, and to report to the Commission on Human Rights at its fifty-ninth session and to the General Assembly at its fifty-eighth session;

(c) To request the Secretary-General to give the special rapporteurs and the joint mission all necessary assistance to enable them fully to discharge their mandate;

---

[10] Resolution 2200 A (XXI).

(d) To request the United Nations High Commissioner for Human Rights to provide the technical skills needed by the joint mission to discharge its mandate.

United Nations A/C.3/57/L.51

General Assembly

Distr.: Limited
12 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Afghanistan, Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Finland, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, Thailand, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and Venezuela: draft resolution

Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

The General Assembly,

Recalling its resolution 53/144 of 9 December 1998, by which it adopted by consensus the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, annexed to that resolution,

Reiterating the importance of the Declaration and stressing the importance of its wide dissemination,

Noting with deep concern that, in many countries, persons and organizations engaged in promoting and defending human rights and fundamental freedoms are facing threats, harassment and insecurity as a result of those activities,

Gravely concerned by the human rights violations committed against persons engaged in promoting and defending human rights and fundamental freedoms around the world,

02-68965 (E) 121102

Recalling that human rights defenders are entitled to equal protection of the law, and deeply concerned about any abuse of civil or criminal proceedings against them because of their activities for the promotion and protection of human rights and fundamental freedoms,

Concerned by the considerable number of communications received by the Special Representative on human rights defenders that, together with the reports submitted by some of the special procedure mechanisms, indicate the serious nature of the risks faced by human rights defenders and the particular consequences for women human rights defenders,

Noting with deep concern that, in a number of countries in all regions of the world, impunity for threats, attacks and acts of intimidation against human rights defenders persists and that this impacts negatively on the work and safety of human rights defenders,

Emphasizing the important role that individuals, non-governmental organizations and groups play in the promotion and protection of human rights and fundamental freedoms, including in combating impunity,

Recalling that under the International Covenant on Civil and Political Rights[1] certain rights are recognized as non-derogable, and emphasizing that derogation from other rights and freedoms can only take place under strict observance of the agreed conditions and procedures identified under article 4 of the Covenant,

Welcoming the cooperation between the Special Representative on human rights defenders and other special procedures of the Commission on Human Rights,

Welcoming also regional initiatives for the promotion and protection of human rights and the cooperation between international and regional mechanisms for the protection of human rights defenders, and encouraging further development in this regard,

Recalling that the primary responsibility for promoting and protecting human rights rests with the State, and noting with deep concern that the activities of some non-State actors pose a major threat to the security of human rights defenders,

Emphasizing the need for strong and effective measures for the protection of human rights defenders,

1. *Calls upon* all States to promote and give full effect to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms;

2. *Welcomes* the reports of the Special Representative[2] on human rights defenders and her contribution to the effective promotion of the Declaration and improvement of the protection of human rights defenders worldwide;

3. *Condemns* all human rights violations committed against persons engaged in promoting and defending human rights and fundamental freedoms around the world, and urges States to take all appropriate action, consistent with the

[1] See resolution 2200 A (XXI), annex.

[2] E/CN.4/2001/94, A/56/341, E/CN.4/2002/106 and A/57/182.

Declaration and all other relevant human rights instruments, to eliminate such human rights violations;

4. *Calls upon* all States to take all necessary measures to ensure the protection of human rights defenders;

5. *Emphasizes* the importance of combating impunity, and in this regard urges States to take appropriate measures to address the question of impunity for threats, attacks and acts of intimidation against human rights defenders;

6. *Urges* all Governments to cooperate with and assist the Special Representative in the performance of her tasks and to furnish all information in the fulfilment of her mandate upon request;

7. *Encourages* Governments to give serious consideration to inviting the Special Representative to visit their countries so as to enable her to fulfil her mandate even more effectively;

8. *Urges* those Governments that have not yet responded to the communications transmitted to them by the Special Representative to answer without further delay;

9. *Invites* Governments to consider translating the Declaration into national languages and encourages them to disseminate it widely;

10. *Requests* all concerned United Nations agencies and organizations within their mandates to provide all possible assistance and support to the Special Representative in the implementation of her programme of activities;

11. *Requests* the Secretary-General to provide all necessary human and financial resources for the effective fulfilment of the mandate of the Special Representative;

12. *Decides* to consider this question at its fifty-eighth session, under the item entitled "Human rights questions".

United Nations A/C.3/57/L.52

General Assembly

Distr.: Limited
12 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, Costa Rica, Croatia, Denmark, Dominican Republic, Ecuador, El Salvador, Finland, France, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Japan, Kenya, Latvia, Lithuania, Luxembourg, Malta, Monaco, Mongolia, Netherlands, New Zealand, Norway, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Senegal, Slovenia, South Africa, Spain, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine and Venezuela: draft resolution

Regional arrangements for the promotion and protection of human rights

The General Assembly,

Recalling its resolution 32/127 of 16 December 1977 and its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights,

Recalling also the Commission on Human Rights resolution 1993/51 of 9 March 1993[1] and its subsequent resolutions in this regard,

Bearing in mind the relevant resolutions of the Commission concerning advisory services and technical cooperation in the field of human rights, including its most recent on that subject, resolution 2002/87 of 26 April 2002,[2]

Bearing in mind also the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[3] which reiterates, inter alia, the need to consider the possibility of establishing regional and

[1] See *Official Records of the Economic and Social Council, 1993, Supplement No. 3* and corrigenda (E/1993/23 and Corr.2, 4 and 5), chap. II, sect. A.
[2] Ibid., *2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.
[3] A/CONF.157/24 (Part I), chap. III.

02-68977 (E) 131102

subregional arrangements for the promotion and protection of human rights where they do not already exist,

Recalling that the World Conference recommended that more resources should be made available for the strengthening of regional arrangements for the promotion and protection of human rights under the programme of technical cooperation in the field of human rights of the Office of the United Nations High Commissioner for Human Rights,

Reaffirming that regional arrangements play an important role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in international human rights instruments, and their protection,

Noting the progress achieved so far in the promotion and protection of human rights at the regional level under the auspices of the United Nations, the specialized agencies and the regional intergovernmental organizations,

Considering that cooperation between the United Nations and regional arrangements in the field of human rights continues to be both substantive and supportive and that possibilities exist for increased cooperation,

Welcoming the fact that the Office of the High Commissioner has been systematically pursuing a regional and subregional approach through a variety of complementary means and methods in order to maximize the impact of the activities of the United Nations at the national level,

1. *Takes notes with satisfaction* of the report of the Secretary-General on regional arrangements for the promotion and protection of human rights;[4]

2. *Welcomes* the continuing cooperation and assistance of the Office of the United Nations High Commissioner for Human Rights in the further strengthening of the existing regional arrangements and regional machinery for the promotion and protection of human rights, in particular through technical cooperation which is aimed at national capacity-building, public information and education, with a view to exchanging information and experience in the field of human rights;

3. *Also welcomes*, in that respect, the close cooperation of the Office of the High Commissioner in the organization of regional and subregional training courses and workshops in the field of human rights, high-level governmental expert meetings and regional conferences of national human rights institutions, aimed at creating greater understanding in the regions of issues concerning the promotion and protection of human rights, improving procedures and examining the various systems for the promotion and protection of universally accepted human rights standards and identifying obstacles to ratification of the principal international human rights treaties and strategies to overcome them;

4. *Recognizes*, therefore, that progress in promoting and protecting all human rights depends primarily on efforts made at the national and local levels and that the regional approach should imply intensive cooperation and coordination with all partners involved, while bearing in mind the importance of international cooperation;

[4] A/57/283.

5. *Stresses* the importance of the programme of technical cooperation in the field of human rights, renews its appeal to all Governments to consider making use of the possibilities offered by the United Nations under this programme of organizing information or training courses at the national level for government personnel on the application of international human rights standards and the experience of relevant international bodies, and notes with satisfaction, in that respect, the establishment of technical cooperation projects with Governments of all regions;

6. *Welcomes* the growing exchanges between the United Nations and the bodies created by the United Nations in accordance with the treaties dealing with human rights, on the one hand, and regional intergovernmental organizations, such as the Council of Europe, the Organization for Security and Cooperation in Europe, the Inter-American Commission on Human Rights, the African Commission on Human and Peoples' Rights and other regional institutions on the other;

7. *Also welcomes* the appointment by the United Nations High Commissioner for Human Rights of four human rights personalities to serve as regional advisers, who will play a significant role in the promotion of human rights and human rights advocacy through the design of strategies and the development of partnerships for human rights, facilitate coordination of human rights technical cooperation in the region and assist regional cooperation at large, for example, among national institutions, parliamentary human rights bodies, bar associations and non-governmental organizations;

8. *Further welcomes* the placement by the Office of the High Commissioner of regional representatives in subregions and in regional commissions to allow for closer working relations with States, international and regional organizations as well as with non-governmental organizations;

9. *Recalls* in this regard the positive experience of the regional and subregional presence in Southern, Central, Eastern and West Africa;

10. *Notes with interest* the results of the African regional dialogues held at Geneva and Arusha in November 2001 and May 2002, respectively, in providing guidance to Governments, regional organizations and non-governmental organizations as well as better links with the African Union and other subregional organizations, and in this respect notes with appreciation the Constitutive Act of the African Union, in particular article 4, which states that the Union shall function in accordance with several principles, inter alia, the promotion of gender equality and the respect for democratic principles, human rights, the rule of law and good governance;

11. *Also notes with interest* the increased, valuable sharing of concrete national experiences at the ninth and tenth Workshops on Regional Cooperation for the Promotion and Protection of Human Rights in the Asian and Pacific Region on the implementation of the Framework of Regional Technical Cooperation for the Asia-Pacific Region, which contributes to the enhancement of the promotion and protection of human rights in the region;

12. *Takes note with interest* of the Quito Framework for Technical Cooperation in the Field of Human Rights, which serves as a basis for the regional strategy of the Office of the High Commissioner, aimed at strengthening national capacities for the promotion of human rights in Latin America and the Caribbean,

and in this regard welcomes the meeting on the enforcement of the system of treaty bodies held in Quito, Ecuador, in August 2002;

13. *Welcomes* the continued cooperation between the Office of the High Commissioner and regional organizations in Europe and Central Asia, in particular the development, as a priority, of a regional approach to preventing trafficking in persons;

14. *Notes with appreciation* the holding of the International Conference on Human Rights and Democratization in Dubrovnik, Croatia, in November 2001, co-organized by the Office of the United Nations High Commissioner for Human Rights, the Government of Croatia and the European Commission, which provided the opportunity to review developments in the field of human rights in the region;

15. *Invites* States in areas in which regional arrangements in the field of human rights do not yet exist to consider concluding agreements, with a view to establishing, within their respective regions, suitable regional machinery for the promotion and protection of human rights;

16. *Requests* the Secretary-General, as foreseen in programme 19 (Human rights) of the medium-term plan for the period 2002-2005,[5] to continue to strengthen exchanges between the United Nations and regional intergovernmental organizations dealing with human rights and to make available adequate resources from within the regular budget of technical cooperation to the activities of the Office of the High Commissioner to promote regional arrangements;

17. *Requests* the Office of the High Commissioner to continue to pay special attention to the most appropriate ways of assisting countries of the various regions, at their request, under the programme of technical cooperation and to make, where necessary, relevant recommendations;

18. *Invites* the Secretary-General, in the report he will present to the Commission on Human Rights at its fifty-ninth session, to provide information on progress made since the adoption of the Vienna Declaration and Programme of Action[3] on reinforcing the exchange of information and extending collaboration between the organs of the United Nations dealing with human rights and regional organizations in the field of the promotion and protection of human rights;

19. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the state of regional arrangements for the promotion and protection of human rights, to formulate concrete proposals and recommendations on ways and means to strengthen cooperation between United Nations and regional arrangements in the field of human rights and to include therein the results of action taken in pursuance of the present resolution;

20. *Decides* to consider this question further at its fifty-ninth session.

---

[5] See *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 6* (A/55/6/Rev.1).

United Nations A/C.3/57/L.53

General Assembly

Distr.: Limited
12 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Afghanistan, Albania, Algeria, Antigua and Barbuda, Bangladesh, Belize, Benin, Bolivia, Brazil, Burkina Faso, Burundi, Cape Verde, Chile, China, Costa Rica, Croatia, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Guyana, Honduras, India, Israel, Jordan, Libyan Arab Jamahiriya, Mali, Malta, Mexico, Monaco, Mongolia, Morocco, Namibia, New Zealand, Nicaragua, Nigeria, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, St. Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Sierra Leone, South Africa, Trinidad and Tobago, Turkey, Ukraine, United Republic of Tanzania, Uruguay, Venezuela and Viet Nam: draft resolution

Human rights and extreme poverty

The General Assembly,

Reaffirming the Universal Declaration of Human Rights,[1] the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights,[2] and other human rights instruments adopted by the United Nations,

Considering the relevant provisions of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[3] and of the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development, adopted by the World Summit on 12 March 1995,[4] and the outcome document of the twenty-fourth special session of the General Assembly entitled "World Summit for Social Development and beyond: achieving social development for all in a globalizing world", adopted at

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.
[3] A/CONF.157/24 (Part I), chap. III.
[4] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

02-68984 (E) 131102

Geneva on 1 July 2000,[5] and the recognition of the contributions of the outcomes of recent United Nations conferences, special sessions and summits, such as the International Conference on Financing for Development, held in Monterrey from 18 to 21 March 2002, and the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002,

Welcoming the decision of the World Summit on Sustainable Development to establish a world solidarity fund to eradicate poverty and promote social and human development, as defined in paragraph 6 (b) of its Plan of Implementation,[6]

Recalling the United Nations Millennium Declaration[7] and the development goals contained therein, including the commitment to halve by 2015 the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger,

Recalling its resolutions 47/196 of 22 December 1992, by which it declared 17 October the International Day for the Eradication of Poverty, 48/183 of 21 December 1993, by which it proclaimed 1996 the International Year for the Eradication of Poverty, 50/107 of 20 December 1995, by which it proclaimed the first United Nations Decade for the Eradication of Poverty (1997-2006), and 56/207 on the implementation of the First United Nations Decade for the Eradication of Poverty (1997-2006), including the proposal to establish a world solidarity fund for poverty eradication,

Recalling also its resolution 55/106 of December 2000 and its previous resolutions on human rights and extreme poverty,

Recalling further its resolution 52/134 of 12 December 1997, in which it recognized that the enhancement of international cooperation in the field of human rights was essential for the understanding, promotion and protection of all human rights,

Recalling its resolution 56/207 of 21 December 2001, in which it expressed its deep concern that the number of people living in extreme poverty in many countries continues to increase, with women and children constituting the majority and the most affected group, in particular in African countries and the least developed countries,

Bearing in mind Commission on Human Rights resolutions 2000/12 of 17 April 2000, 2001/31 of 23 April 2001 and 2002/30 of 22 April 2002, as well as resolution 1996/23 of 29 August 1996[8] of the Subcommission on the Prevention of Discrimination and Protection of Minorities,[9] and resolutions 2001/8 of 15 August 2001 and 2002/13 of 14 August 2002 from the Subcommission on the Promotion and Protection of Human Rights,

---

[5] Resolution S-24/2, annex.

[6] See *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August to 4 September 2002* (United Nations publication, Sales No. E.02.__), chap. I, resolution 2, para. 7 (b).

[7] Resolution 55/2.

[8] See E/CN.4/1997/2-E/CN.4/Sub.2/1996/41, chap. II, sect. A.

[9] Subsequently renamed the Subcommission on the Promotion and Protection of Human Rights (see Economic and Social Council decision 1999/256).

Recalling its resolution 47/134 of 18 December 1992, in which it reaffirmed that extreme poverty and exclusion from society constituted a violation of human dignity and stressed the need for a complete and in-depth study of extreme poverty, based on the active and informed participation of the people living in poverty,

Recognizing that the eradication of extreme poverty is a major challenge for the enjoyment of human rights within the process of globalization and requires coordinated and continued policies through decisive national action and international cooperation,

Reaffirming that, since the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and might, in some situations, constitute a threat to the right to life, its immediate alleviation and eventual eradication must remain a high priority for the international community,

Considering that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and in this regard reaffirming that the fight against poverty, especially the eradication of extreme poverty, can contribute substantially to the promotion and consolidation of democracy and constitutes a common and shared responsibility of States,

Noting with interest the reports submitted to the General Assembly by the Secretary General[10] and to the Commission on Human Rights by the independent expert[11] on the question of human rights and extreme poverty and the recommendations contained therein,

Also noting with interest the appointment of experts by the Subcommission on the Promotion and Protection on Human Rights, in the context of the fight against extreme poverty,[12]

1. *Reaffirms* that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

2. *Also reaffirms* that it is essential for States to foster participation by the poorest people in the decision-making process in the societies in which they live, in the promotion of human rights and in efforts to combat extreme poverty, and that it is essential for people living in poverty and vulnerable groups to be empowered to organize themselves and to participate in all aspects of political, economic and social life, in particular the planning and implementation of policies that affect them, thus enabling them to become genuine partners in development;

3. *Emphasizes* that extreme poverty is a major issue to be addressed by Governments, civil society and the United Nations system, including international financial institutions, and in this context reaffirms that political commitment is a prerequisite for the eradication of poverty;

4. *Recognizes* that surmounting extreme poverty constitutes an essential means to the full enjoyment of political, civil, economic, social and cultural rights, and reaffirms the interrelationship among these goals;

---

[10] A/57/369.

[11] E/CN.4/2002/55.

[12] See Commission on Human Rights resolution 2002/30, sixteenth preambular paragraph, and resolution 2002/13 of the Subcommission on Human Rights.

5. *Reaffirms* that the existence of widespread absolute poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

6. *Reaffirms also* the importance of addressing the most pressing social needs of people living in poverty, where appropriate, through the design and further implementation of special mechanisms, in order to strengthen and consolidate effective democratic governance;

7. *Reaffirms further* the commitments to the achievement of the development and poverty eradication goals contained in the United Nations Millennium Declaration,[7] and in the outcome documents of relevant major United Nations conferences, summits and special sessions;

8. *Invites* the United Nations High Commissioner for Human Rights, within the framework of the implementation of the United Nations Decade for the Eradication of Poverty, to continue giving appropriate attention to the question of human rights and extreme poverty;

9. *Notes with appreciation* the specific actions taken by the United Nations Children's Fund and the United Nations Educational, Scientific and Cultural Organization to mitigate the effects of extreme poverty on children, and the efforts of the United Nations Development Programme to give priority to the search for some means of alleviating poverty within the framework of the relevant resolutions, and urges them to continue this work;

10. *Calls upon* States, United Nations bodies, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme, intergovernmental organizations and non-governmental organizations to continue giving appropriate attention to the links between human rights and extreme poverty;

11. *Decides* to consider this question further at its fifty-ninth session, under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

United Nations A/C.3/57/L.54

General Assembly

Distr.: Limited
12 November 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Afghanistan, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belize, Benin, Bolivia, Botswana, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ethiopia, Fiji, Finland, Greece, Guatemala, India, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Malawi, Malta, Mauritius, Mexico, Monaco, Mozambique, Myanmar, Namibia, Nauru, New Zealand, Nicaragua, Norway, Panama, Peru, Philippines, Republic of Korea, Romania, San Marino, Senegal, Sierra Leone, Slovakia, Slovenia, Spain, South Africa, Swaziland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey, Uganda, Ukraine, United Republic of Tanzania, Uruguay, Venezuela, Yugoslavia and Zambia: draft resolution

United Nations Decade for Human Rights Education, 1994-2004

The General Assembly,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights,[1]

Reaffirming article 26 of the Declaration, which states that "education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms", and recalling the provisions of other relevant international human rights instruments that reflect the aims of the article,

Recalling the high importance attached to human rights education by the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993,

[1] Resolution 217 A (III).

02-69008 (E) 131102

Recalling also the relevant resolutions adopted by the General Assembly and the Commission on Human Rights concerning the United Nations Decade for Human Rights Education, 1995-2004,

Believing that human rights education constitutes an important vehicle for the elimination of gender-based discrimination and for ensuring equal opportunities through the promotion and protection of the human rights of women,

Convinced that every woman, man and child, in order to realize their full human potential, must be made aware of all their human rights and fundamental freedoms,

Convinced also that human rights education should involve more than the provision of information and should constitute a comprehensive, lifelong process by which people at all levels of development and in all societies learn respect for the dignity of others and the means and methods of ensuring that respect in all societies,

Recognizing that human rights education is essential to the realization of human rights and fundamental freedoms and that carefully designed training, dissemination and information programmes can have a catalytic effect on national, regional and international initiatives to promote and protect human rights and prevent human rights violations,

Convinced that human rights education contributes to a holistic concept of development consistent with the dignity of women and men of all ages, which takes into account particularly vulnerable segments of society, such as children, young persons, older persons, indigenous people, minorities, the rural and urban poor, migrant workers, refugees, persons with human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and disabled persons,

Affirming that human rights education is a key to changing attitudes and behaviour based on racism, racial discrimination, xenophobia and related intolerance and to promoting tolerance and respect for diversity in societies and that such education is a determining factor in the promotion, dissemination and protection of the democratic values of justice and equity, which are essential to prevent and combat the spread of racism, racial discrimination, xenophobia and related intolerance, as was recognized at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001,[2]

Welcoming the holding of the International Consultative Conference on School Education in Relation to Freedom of Religion and Belief, Tolerance and Non-discrimination, which was held in Madrid from 23 to 25 November 2001,

Welcoming also the efforts to promote human rights education made by educators and non-governmental organizations in all parts of the world, as well as by intergovernmental organizations, including the Office of the United Nations High Commissioner for Human Rights, the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization, the United Nations Children's Fund and the United Nations Development Programme,

Recognizing the outcomes of the regional conferences on human rights education organized by the United Nations Educational, Scientific and Cultural

[2] A/CONF.189/2.

Organization, held in Turku, Finland, in 1997, in Dakar, Senegal, in 1998, in Pune, India, in 1999, in Rabat, Morocco, in 1999, and in Mexico City in 2001,

Recognizing the invaluable and creative role that non-governmental and community-based organizations play in the promotion and protection of human rights by disseminating public information and engaging in human rights education, especially at the grass-roots level and in remote and rural communities,

Aware of the potential role of the private sector in implementing at all levels of society the Plan of Action for the United Nations Decade for Human Rights Education, 1995-2004,[3] and the World Public Information Campaign on Human Rights through financial support for governmental and non-governmental activities as well as their own creative initiatives,

Convinced that the effectiveness of existing human rights education and public information activities would be enhanced by better coordination and cooperation at the national, regional and international levels,

Recalling that it is within the responsibility of the United Nations High Commissioner for Human Rights to coordinate relevant United Nations education and public information programmes in the field of human rights,

Noting with appreciation the efforts undertaken so far by the Office of the High Commissioner for Human Rights to increase information-sharing in the area of human rights education through the development of a database and resource collection on human rights education and to disseminate human rights information through its web site, its publications and its external relations programmes,

Welcoming the initiative of the Office of the High Commissioner to develop further the project entitled "Assisting Communities Together", launched in 1998, supported by voluntary funds and designed to provide small grants to grass-roots and local organizations carrying out practical human rights activities,

Welcoming also other United Nations public information activities in the field of human rights, including the World Public Information Campaign on Human Rights and the implementation of and follow-up to the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights,[4] the project of the United Nations Educational, Scientific and Cultural Organization entitled "Towards a culture of peace", and the Dakar Framework for Action adopted at the World Education Forum,[5] which, inter alia, reconfirmed the mandated role of the United Nations Educational, Scientific and Cultural Organization in coordinating "Education for All" partners and maintaining their collective momentum within the process of securing quality basic education,

Recognizing the value of information and communications technologies in human rights education to promote dialogue and understanding of human rights, and in that context welcoming, inter alia, the CyberSchoolBus and the United Nations Children's Fund "Voices of Youth" initiatives,

---

[3] A/51/506/Add.1, appendix.

[4] A/CONF.157/24 (Part I), chap. III.

[5] See the United Nations Educational, Scientific and Cultural Organization, Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000 (Paris, 2000).

Recalling the mid-term global evaluation of progress made towards the achievement of the objectives of the Decade undertaken by the Office of the High Commissioner, in cooperation with all other principal actors in the Decade, which was presented in the relevant report of the High Commissioner to the General Assembly at its fifty-fifth session,[6]

1. *Takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights on the United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of human rights;[7]

2. *Urges* all Governments to promote the development of comprehensive, participatory and sustainable national strategies for human rights education and to establish and strengthen, as a priority in education policies, knowledge of human rights both in the theoretical dimension and practical application;

3. *Welcomes* the steps taken by Governments and intergovernmental and non-governmental organizations to implement the Plan of Action for the United Nations Decade for Human Rights Education, 1995-2004,[3] and to develop public information activities in the field of human rights, as indicated in the report of the High Commissioner;

4. *Urges* all Governments to contribute further to the implementation of the Plan of Action, in particular by:

(a) Encouraging the establishment, in accordance with national conditions, of broadly representative national committees for human rights education responsible for the development of comprehensive, effective and sustainable national plans of action for human rights education and information, taking into consideration the recommendations of the mid-term global evaluation of the Decade and the guidelines for national plans of action for human rights education developed by the Office of the United Nations High Commissioner for Human Rights;[8]

(b) Encouraging, supporting and involving national and local non-governmental and community-based organizations in the implementation of their national plans of action;

(c) Initiating and developing cultural and educational programmes aimed at countering racism, racial discrimination, xenophobia and related intolerance, and supporting and implementing public information campaigns and specific training programmes in the field of human rights, as emphasized at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;[2]

5. *Encourages* Governments to consider, within their national plans of action for human rights education:

(a) The establishment of public access human rights resource and training centres to carry out research, including on child and gender-sensitive training of trainers;

(b) The preparation, collection, translation and dissemination of human rights education and training materials;

---

[6] A/55/360.
[7] A/57/323.
[8] A/52/469/Add.1 and Corr.1.

(c) The organization of courses, conferences, workshops and public information campaigns and assistance in the implementation of internationally sponsored technical cooperation projects for human rights education and public information;

6. *Encourages* States, where such national public access human rights resource and training centres exist, to strengthen their capacity to support human rights education and public information programmes at the international, regional, national and local levels;

7. *Calls upon* Governments, in accordance with national conditions, to accord priority to the dissemination, in the relevant national local and indigenous languages, of the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[9] and other human rights instruments, human rights materials and training manuals, including information on human rights mechanisms and complaint procedures and reports of States parties submitted under international human rights treaties, and to provide information and education in those languages on the practical ways in which national and international institutions and procedures may be utilized to ensure the effective implementation of those instruments;

8. *Encourages* Governments to support further, through voluntary contributions, the education and public information efforts undertaken by the Office of the United Nations High Commissioner for Human Rights within the framework of the Plan of Action;

9. *Requests* the High Commissioner to continue to coordinate and harmonize human rights education and information strategies within the United Nations system, including the implementation of the Plan of Action, in cooperation, inter alia, with the United Nations Educational, Scientific and Cultural Organization, and to ensure maximum effectiveness and efficiency in the collection, use, processing, management and distribution of human rights information and educational materials, including through electronic means;

10. *Encourages* Governments to contribute to the further development of the web site of the Office of the High Commissioner, in particular with respect to the dissemination of human rights education materials and tools, and to continue and expand the publications and external relations programmes of the Office;

11. *Encourages* the Office of the High Commissioner to continue to support national capacities for human rights education and information through its technical cooperation programme in the field of human rights, including the organization of training courses and peer education initiatives and the development of targeted training materials for professional audiences, as well as the dissemination of human rights information materials as a component of technical cooperation projects, to develop further its database and resource collection on human rights education and to continue to monitor developments in human rights education;

12. *Urges* the Department of Public Information of the Secretariat to continue to utilize United Nations information centres for the timely dissemination, within their designated areas of activity, of basic information, reference and audio-visual materials on human rights and fundamental freedoms, including the reports of States parties submitted under international human rights instruments and, to that

[9] Resolution 2200 A (XXI), annex.

end, to ensure that the information centres are supplied with adequate quantities of those materials;

13. *Stresses* the need for close collaboration between the Office of the High Commissioner and the Department of Public Information in the implementation of the Plan of Action and the World Public Information Campaign on Human Rights as well as the need to harmonize their activities with those of other international organizations, including with the United Nations Educational, Scientific and Cultural Organization on its project entitled "Towards a culture of peace" and the International Committee of the Red Cross, and relevant non-governmental organizations with regard to the dissemination of information on international humanitarian law;

14. *Invites* the specialized agencies and relevant United Nations programmes and funds to continue to contribute, within their respective spheres of competence, to the implementation of the Plan of Action and the World Public Information Campaign and to cooperate and coordinate with each other and with the Office of the High Commissioner in that regard;

15. *Encourages* the relevant organs, bodies and agencies of the United Nations system, all human rights bodies of the United Nations system, including the Office of the United Nations High Commissioner for Human Rights and the Office of the United Nations High Commissioner for Refugees, to provide training in human rights for all United Nations personnel and officials;

16. *Encourages* the human rights treaty bodies, when examining reports of States parties, to place emphasis on the obligations of States parties in the area of human rights education and to reflect that emphasis in their concluding observations;

17. *Encourages* all relevant mechanisms of the Commission on Human Rights, that is, working groups and special rapporteurs, representatives or experts, to include systematically in their reports a specific section on human rights education, as relevant to their mandate, as well as to include human rights education as an item on their agenda of their annual meetings, with a view to strengthening their contribution to human rights education;

18. *Calls upon* international, regional and national non-governmental organizations and intergovernmental organizations, in particular those concerned with children and youth, women, labour, development, food, housing, education, health care and the environment, as well as all other social justice groups, human rights advocates, educators, religious organizations, the private sector and the media, to undertake specific activities of formal, non-formal and informal education, including cultural events, alone and in cooperation with the Office of the United Nations High Commissioner for Human Rights, in implementing the Plan of Action;

19. *Welcomes*, in that context, initiatives to include civil society, non-governmental organizations, children and youth in national delegations to world conferences, summits and other meetings, as well as the work of non-governmental organizations and intergovernmental agencies in organizing parallel meetings of non-governmental organizations as well as youth satellite meetings, as an important component of human rights education;

20. *Encourages* Governments, regional organizations and intergovernmental and non-governmental organizations to explore the potential support and contribution to human rights education of all relevant partners, including the private sector, development, trade and financial institutions and the media, and to seek their cooperation in the development of human rights education strategies;

21. *Encourages* regional organizations to develop strategies for the wider distribution of materials on human rights education through regional networks and to develop region-specific programmes to maximize the participation of national entities, whether governmental or non-governmental, in programmes on human rights education;

22. *Encourages* intergovernmental organizations to assist, upon request, collaboration between governmental institutions and non-governmental organizations at the national level;

23. *Requests* the Office of the High Commissioner to continue the implementation of and to expand the "Assisting Communities Together" project and to consider other appropriate ways and means to support human rights education activities, including those undertaken by non-governmental organizations;

24. *Requests* the High Commissioner to bring the present resolution to the attention of all members of the international community and of intergovernmental and non-governmental organizations concerned with human rights education and public information and to report to the General Assembly at its fifty-eighth session on the progress made towards the achievement of the objectives of the United Nations Decade for Human Rights Education under the item entitled "Human rights questions".